

HOUSE BILL No. 2410

By Committee on Appropriations

3-22

Proposed Amendments to HB 2410 #14  
House Committee on K-12 Budget  
Prepared by Jason Long  
Office of Revisor of Statutes

1 AN ACT concerning education; relating to the instruction and financing  
2 thereof; making and concerning appropriations for the fiscal years  
3 ending June 30, 2018, and June 30, 2019, for the department of  
4 education; creating the Kansas school equity and enhancement act;  
5 amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a,  
6 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-  
7 3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-  
8 6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-  
9 8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-  
10 8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-  
11 99a02, 72-99a02, as amended by section 87 of this act, 74-4939a, 74-  
12 8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and  
13 repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-  
14 1133 and 72-6482.

15  
16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1.

18 DEPARTMENT OF EDUCATION

19 (a) There is appropriated for the above agency from the state general  
20 fund for the fiscal year ending June 30, 2018, the following:

21 Operating expenditures (including official  
22 hospitality) (652-00-1000-0053).....\$12,515,606  
23 *Provided*, That any unencumbered balance in the operating expenditures  
24 (including official hospitality) account in excess of \$100 as of June 30,  
25 2017, is hereby reappropriated for fiscal year 2018.  
26 Special education services  
27 aid (652-00-1000-0700).....\$437,680,455

28 *Provided*, That any unencumbered balance in the special education  
29 services aid account in excess of \$100 as of June 30, 2017, is hereby  
30 reappropriated for fiscal year 2018: *Provided further*, That expenditures  
31 shall not be made from the special education services aid account for the  
32 provision of instruction for any homebound or hospitalized child unless  
33 the categorization of such child as exceptional is conjoined with the  
34 categorization of the child within one or more of the other categories of  
35 exceptionality: *And provided further*, That expenditures shall be made from  
36 this account for grants to school districts in amounts determined pursuant

1 and amendments thereto, payments of federal funds made available under  
2 the provisions of title I of public law 874, except amounts received for  
3 assistance in cases of major disaster and amounts received under the low-  
4 rent housing program and such other moneys as are provided by law.

5 (g) "General fund budget" means the amount budgeted for operating  
6 expenses in the general fund of a school district.

7 (f) "High-density at-risk student weighting" means an addend  
8 component assigned to the foundation enrollment of school districts  
9 pursuant to section 27(b), and amendments thereto, on the basis of costs  
10 attributable to the maintenance of at-risk educational programs by such  
11 school districts.

12 (s) "Juvenile detention facility" means the same as such term is  
13 defined in K.S.A. 72-8187, and amendments thereto.

14 (i) "Local foundation aid" means the sum of the following amounts:

15 (1) ~~The amount of the proceeds from the tax levied under the~~  
16 ~~authority of section 16, and amendments thereto, that is levied to finance~~  
17 ~~that portion of the school district's local foundation budget that is not~~  
18 ~~financed from any other source provided by law;~~

19 (2) an amount equal to any unexpended and unencumbered balance  
20 remaining in the general fund of the school district, except moneys  
21 received by the school district and authorized to be expended for the  
22 purposes specified in section 37, and amendments thereto;

23 (3) an amount equal to any remaining proceeds from taxes levied  
24 under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto,  
25 prior to their repeal;

26 (4) an amount equal to the amount deposited in the general fund in  
27 the current school year from moneys received in such school year by the  
28 school district under the provisions of K.S.A. 72-1046a(a), and  
29 amendments thereto;

30 (5) an amount equal to the amount deposited in the general fund in  
31 the current school year from moneys received in such school year by the  
32 school district pursuant to contracts made and entered into under authority  
33 of K.S.A. 72-6757, and amendments thereto;

34 (6) an amount equal to the amount credited to the general fund in the  
35 current school year from moneys distributed in such school year to the  
36 school district under the provisions of articles 17 and 34 of chapter 12 of  
37 the Kansas Statutes Annotated, and amendments thereto, and under the  
38 provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes  
39 Annotated, and amendments thereto;

40 (7) an amount equal to the amount of payments received by the  
41 school district under the provisions of K.S.A. 72-979, and amendments  
42 thereto;

43 (8) an amount equal to the amount of any grant received by the

An amount equal to the maximum local foundation budget the school district  
may adopt pursuant to section 14, and amendments thereto

1 the amount of total foundation aid received by the former school district in  
2 the school year preceding the date the disorganization and attachment was  
3 completed; (B) determine the amount of total foundation aid received by  
4 the enlarged school district in the school year preceding the date the  
5 disorganization and attachment was completed; (C) determine the assessed  
6 valuation of the former school district in the school year preceding the date  
7 the disorganization and attachment was completed; (D) determine the  
8 assessed valuation of the territory attached to each enlarged school district;  
9 (E) allocate the amount of the total foundation aid received by the former  
10 school district in the school year preceding the date the disorganization  
11 and attachment was completed to each of the enlarged school districts in  
12 the same proportion the assessed valuation of the territory attached to each  
13 school district bears to the assessed valuation of the former school district;  
14 and (F) add the amounts determined under subparagraphs (B) and (E). The  
15 sum is the total foundation aid of the enlarged school district for the school  
16 year in which the attachment is completed.

17 New Sec. 13. (a) The board of education of each school district shall  
18 levy an ad valorem tax upon the taxable tangible property of the school  
19 district in the school years specified in subsection (b) for the purpose of:

20 (1) Financing that portion of the school district's general fund budget  
21 that is not financed from any other source provided by law;

22 (2) paying a portion of the costs of operating and maintaining public  
23 schools in partial fulfillment of the constitutional obligation of the  
24 legislature to finance the educational interests of the state; and

25 (3) with respect to any redevelopment school district established prior  
26 to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto,  
27 paying a portion of the principal and interest on bonds issued by cities  
28 under authority of K.S.A. 12-1774, and amendments thereto, for the  
29 financing of redevelopment projects upon property located within the  
30 school district.

31 (b) The tax required under subsection (a) shall be levied at a rate of  
32 20 mills in the school years 2017-2018 and 2018-2019.

33 (c) The proceeds from the tax levied by a district under authority of  
34 this section, except the proceeds of such tax levied for the purpose  
35 described in subsection (a)(3), shall be remitted to the state treasurer in  
36 accordance with the provisions of K.S.A. 75-4215, and amendments  
37 thereto. Upon receipt of each such remittance, the state treasurer shall  
38 deposit the entire amount in the state treasury to the credit of the state  
39 school district finance fund.

40 (d) No school district shall proceed under K.S.A. 79-1964, 79-1964a  
41 or 79-1964b, and amendments thereto.

42 New Sec. 14. (a) In each school year, the board of education of each  
43 school district shall adopt a local foundation budget by resolution. Except

may

1 as provided in subsection (b), the local foundation budget shall be] not exceed an amount  
 2 determined by multiplying the school district's total foundation aid by  
 3 0.20. ~~The resulting product is the local foundation budget of the school-~~  
 4 ~~district]~~

5 (b) For any school year in which 20% of the BASE aid equals an not exceed an amount  
 6 amount that is less than \$1,150, the local foundation budget shall be]  
 7 determined by multiplying the adjusted enrollment of the school district by  
 8 \$1,150.

9 (c) (1) Of the moneys deposited in or otherwise credited to the  
 10 supplemental general fund of a school district pursuant to sections 16 and  
 11 17, and amendments thereto, that are attributable to the local foundation  
 12 budget of such school district, an amount that is proportional to that  
 13 amount of such school district's total foundation aid attributable to the at-  
 14 risk student weighting as compared to such district's total foundation aid  
 15 shall be transferred to the at-risk education fund of such school district and  
 16 shall be expended in accordance with section 29, and amendments thereto.

17 (2) Of the moneys deposited in or otherwise credited to the  
 18 supplemental general fund of a school district pursuant to sections 16 and  
 19 17, and amendments thereto, that are attributable to the local foundation  
 20 budget of such school district, an amount that is proportional to that  
 21 amount of such school district's total foundation aid attributable to the  
 22 bilingual weighting as compared to such district's total foundation aid shall  
 23 be transferred to the bilingual education fund of such school district and  
 24 shall be expended in accordance with K.S.A. 2016 Supp. 72-9509, and  
 25 amendments thereto.

26 New Sec. 15. (a) In each school year, the board of education of a  
 27 school district may adopt, by resolution, a local enhancement budget that  
 28 does not exceed 5% of the total foundation aid of such school district.

29 (b) A resolution adopting a local enhancement budget shall require a  
 30 majority vote of the members of the board, and shall be effective upon  
 31 adoption and shall require no other procedure, authorization or approval.

32 (c) Unless specifically stated otherwise in the resolution, the authority  
 33 to adopt a local enhancement budget shall be continuous and permanent.  
 34 The board of education may choose not to adopt such a local enhancement  
 35 budget or may adopt a local enhancement budget in an amount less than  
 36 the amount authorized. If the board, whose authority to adopt a local  
 37 enhancement budget is not continuous and permanent, refrains from  
 38 adopting a local enhancement budget, the authority of such board to adopt  
 39 a local enhancement budget shall not be extended by such refrainment  
 40 beyond the period specified in the resolution authorizing adoption of such  
 41 local enhancement budget.

42 (d) The board of education may initiate procedures to renew or  
 43 increase the authority to adopt a local enhancement budget at any time