

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **Senate Substitute for HB 2186**, on page 127, following line 15, by inserting:

"New Sec. 104. (a) The board of education of any school district with an enrollment of fewer than 200 students in school year 2016-2017 shall effectuate merger agreements with one or more school districts and shall submit to the state board of education a plan to merge with such other school districts to become one school district with an enrollment of at least 200 students. Such merger agreements shall be implemented and effective for the school year beginning July 1, 2018, subject to state board approval pursuant to subsection (e).

(b) Any school district with an enrollment of fewer than 200 students in school year 2016-2017 that fails to submit a plan to the state board or fails to complete a merger that results in a school district with an enrollment of at least 200 students shall be disorganized and merged with one or more other districts by the state board. The state board shall disorganize and merge any such districts so that every school district in the state has an enrollment of at least 200 students in school year 2018-2019, or as soon thereafter as practicable.

(c) The boards of education of any two or more school districts are hereby authorized to discuss issues relating to the merger of such districts and enter into merger agreements to form one school district with an enrollment of at least 200 students.

(d) Any merger agreement entered into under authority of this section shall specify the following:

- (1) The home county of the newly formed school district;
- (2) the method of election and voting plan for members of the board of education;

(3) the boundaries of member districts, if necessary; and

(4) the terms and conditions of the membership of a temporary board of education, if necessary, to serve until a board of education is elected as provided in this section.

(e) Merger agreements entered into pursuant to this section shall be of no force and effect unless first approved by the state board. If the state board approves such merger agreement, the state board shall issue an order establishing the new school district in conformance with such merger agreement. The state board shall only approve merger agreements that meet the requirements of this section.

(f) The territory of a school district that has merged with another school district shall be all of the territory of the school districts being merged. The territory of the school districts being merged shall be contiguous.

(g) Any bonded indebtedness shall remain a charge upon the territory of the school district being merged and the provisions of K.S.A. 10-119, and amendments thereto, shall apply.

(h) The assets of the school districts being merged shall be transferred to the newly formed school district on a day agreed upon in the merger agreement or as determined by the state board. The property, records and all funds on hand and to be collected of a merging school district shall be turned over and paid to the newly formed school district and shall become the property of such newly formed school district, and such newly formed school district shall be entitled to possession thereof. The newly formed school district shall become liable for and pay all lawful debts of any school districts that were merged, except as provided by subsection (g). It shall be the duty of all county officers and officers of the merging school districts to transfer the funds, records and property of such school districts in accordance with the provisions of this section and any merger agreement.

(i) The provisions of K.S.A. 72-8701 et seq., and amendments thereto, shall not apply to the provisions of this section.

(j) The state board shall adopt rules and regulations to implement the provisions of this section.";

And by renumbering sections accordingly

Senator _____