

**HOUSE BILL No. 2636**

By Committee on K-12 Education Budget

2-6

1 AN ACT concerning school districts; relating to general obligation bonds;  
2 relating to state board of education approval; amending K.S.A. 2017  
3 Supp. 72-5461 and repealing the existing section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2017 Supp. 72-5461 is hereby amended to read as  
7 follows: 72-5461. (a) Upon receiving an application under K.S.A. 2017  
8 Supp. 72-5460, and amendments thereto, the state board of education shall  
9 review the application and examine the evidence furnished in support of  
10 the application.

11 ~~(b)(1) Commencing in school year 2017-2018, the state board of~~  
12 ~~education shall not approve any application submitted during the current~~  
13 ~~school year if such approval would result in the aggregate amount of all~~  
14 ~~general obligation bonds approved by the state board for such school year~~  
15 ~~exceeding the aggregate principal amount of all general obligation bonds~~  
16 ~~retired in the immediately preceding school year. In determining whether~~  
17 ~~to approve an application, the state board shall prioritize applications in~~  
18 ~~accordance with the priorities set forth as follows in order of highest~~  
19 ~~priority to lowest priority:~~

20 ~~(A) Safety of the current facility and disability access to such facility~~  
21 ~~as demonstrated by a state fire marshal report, an inspection under the~~  
22 ~~Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar~~  
23 ~~evaluation;~~

24 ~~(B) enrollment growth and imminent overcrowding as demonstrated~~  
25 ~~by successive increases in enrollment of the school district in the~~  
26 ~~immediately preceding three school years;~~

27 ~~(C) impact on the delivery of educational services as demonstrated by~~  
28 ~~restrictive inflexible design or limitations on installation of technology;~~  
29 ~~and~~

30 ~~(D) energy usage and other operational inefficiencies as demonstrated~~  
31 ~~by a district-wide energy usage analysis, district-wide architectural~~  
32 ~~analysis or other similar evaluation.~~

33 ~~(2) The state board shall not consider a school district's eligibility for~~  
34 ~~capital improvement state aid, or the amount of capital improvement state~~  
35 ~~aid a school district would be eligible to receive, in determining whether to~~  
36 ~~approve such district's application.~~

1       ~~(3) The provisions of subsection (b)(1) shall not apply to school~~  
2 ~~districts that have not issued any general obligation bonds in the 25 years~~  
3 ~~prior to the current school year.~~

4       ~~(e) After reviewing the application and examining the supportive~~  
5 ~~evidence, the state board of education shall issue an order either granting~~  
6 ~~or denying the application. If the application is approved, the applicant~~  
7 ~~board of education shall request the county election officer to hold an~~  
8 ~~election to vote upon the question of issuing the increased amount of~~  
9 ~~bonds in the manner provided by law.~~

10       ~~(d) Any application that is denied pursuant to subsection (b) may be~~  
11 ~~tentatively approved by the state board of education for the immediately~~  
12 ~~succeeding school year. The amount of general obligation bonds approved~~  
13 ~~in any such application shall be counted first towards the aggregate~~  
14 ~~amount of all general obligation bonds approved by the state board for~~  
15 ~~such school year.~~

16       ~~(e) Commencing in school year 2017-2018, the state board of~~  
17 ~~education shall determine the aggregate principal amount of general~~  
18 ~~obligation bonds retired in the immediately preceding school year.~~

19       ~~(f) The provisions of subsections (b), (d) and (e) shall expire on June~~  
20 ~~30, 2022.~~

21       Sec. 2. K.S.A. 2017 Supp. 72-5461 is hereby repealed.

22       Sec. 3. This act shall take effect and be in force from and after its  
23 publication in the statute book.