

HOUSE BILL No. 2723

By Committee on Education

2-8

1 AN ACT permitting residents to petition and vote for a transfer of school
2 district territory; concerning requirements and procedure.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) If, in any township, city, or portion thereof, in aggregate
6 during the immediately preceding five school years, the majority of
7 students residing in such township, city, or portion thereof attended school
8 in a district other than the district where the student is a resident, then the
9 residents of such township, city, or portion thereof may file a petition with
10 the county election officer of the home county of the township, city, or
11 portion thereof signed by not less than 25% of the qualified electors of the
12 township, city, or portion thereof authorizing the transfer of the territory of
13 the township, city, or portion thereof from the current district (the
14 transferor district) to the school district where a majority of students in the
15 township, city, or portion thereof attend (the transferee district).

16 (b) Upon receipt of a petition, the county election officer shall submit
17 to the electors of the transferor school district who are also electors of the
18 township, city, or portion thereof the question of whether the territory
19 should transfer to the transferee district. The question shall be submitted at
20 the next general election of the transferor school district.

21 (c) (1) Within 30 days of the certification of an affirmative vote on
22 the question submitted under subsection (b), the transferor district may file
23 a petition with the state board of education to challenge the transfer of the
24 territory described in the petition. The state board shall hold a public
25 hearing and shall provide notice of such hearing pursuant to K.S.A. 2017
26 Supp. 72-532(c), and amendments thereto.

27 (2) The provisions of K.S.A. 2017 Supp. 72-532(d) through (f), and
28 amendments thereto, shall apply to the state board's consideration of any
29 petition filed under this subsection. In considering such petition, the state
30 board shall uphold the transfer of the territory unless there is clear and
31 convincing evidence that such transfer should not be upheld.

32 (d) If approved by a majority of eligible voters and upheld by the
33 state board if challenged, the territory shall be transferred pursuant to
34 K.S.A. 2017 Supp. 72-523 and 72-524, and amendments thereto, except
35 that the transfer of territory shall be effective on June 1 of the second
36 subsequent year following the date of such vote or determination of the

1 state board, whichever occurs last.

2 (e) Notwithstanding the provisions of K.S.A. 2017 Supp. 72-522, and
3 amendments thereto, no real property owned by the transferor district shall
4 be conveyed to the transferee district as a result of a transfer of territory
5 pursuant to this section.

6 Sec. 2. This act shall take effect and be in force from and after its
7 publication in the statute book.