[As Amended by House Committee of the Whole]

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2200

By Committee on Education

2-8

AN ACT concerning school districts; relating to state aid for capital improvements and capital outlay; amending K.S.A. 2010 Supp. 72-8814 and 75-2319 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2010 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest $1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) (A) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount
of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2010 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%.

(B) (i) For levies imposed by a school district pursuant to a resolution adopted and published under this section prior to July 1, 2011, and such resolution either was not protested or that it was protested and an election has been held prior to July 1, 2011, the state aid computation percentage is 25%.

(ii) For levies imposed by a school district pursuant to a resolution adopted and published under this section prior to July 1, 2011, and the protest period had not expired prior to July 1, 2011, or such resolution was protested and the election was not held prior to July 1, 2011, the state aid computation percentage is 15%.

(iii) For levies imposed by a school district pursuant to a resolution adopted on or after July 1, 2011, the state aid computation percentage is 15%; and

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto; and

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, 2011, or June 30, 2012. All transfers made in
accordance with the provisions of this subsection shall be considered to
be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund
shall be distributed to school districts at times determined by the state
board of education. The state board of education shall certify to the
director of accounts and reports the amount due each school district
entitled to payment from the fund, and the director of accounts and
reports shall draw a warrant on the state treasurer payable to the
treasurer of the school district. Upon receipt of the warrant, the
treasurer of the school district shall credit the amount thereof to the
capital outlay fund of the school district to be used for the purposes of
such fund.

(e) Amounts transferred to the capital outlay fund of a school
district as authorized by K.S.A. 72-6433, and amendments thereto,
shall not be included in the computation when determining the amount
of state aid to which a district is entitled to receive under this section.

Sec. 2. K.S.A. 2010 Supp. 75-2319 is hereby amended to read as
follows: 75-2319. (a) There is hereby established in the state treasury
the school district capital improvements fund. The fund shall consist of
all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year,
each school district which is obligated to make payments from its
capital improvements fund shall be entitled to receive payment from
the school district capital improvements fund in an amount determined
by the state board of education as provided in this subsection. The state
board of education shall:

(1) Determine the amount of the assessed valuation per pupil
(AVPP) of each school district in the state and round such amount to
the nearest $1,000. The rounded amount is the AVPP of a school district
for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the
median AVPP of all school districts as the point of beginning. The
schedule of dollar amounts shall range upward in equal $1,000
intervals from the point of beginning to and including an amount that is
equal to the amount of the AVPP of the school district with the highest
AVPP of all school districts and shall range downward in equal $1,000
intervals from the point of beginning to and including an amount that is
equal to the amount of the AVPP of the school district with the lowest
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AVPP of all school districts;

(4) (A) determine a state aid percentage factor for each school
district by assigning a state aid computation percentage to the amount
of the median AVPP shown on the schedule, decreasing the state aid
computation percentage assigned to the amount of the median AVPP by
one percentage point for each $1,000 interval above the amount of the
median AVPP, and increasing the state aid computation percentage
assigned to the amount of the median AVPP by one percentage point for
each $1,000 interval below the amount of the median AVPP. Except as
provided by K.S.A. 2010 Supp. 75-2319c, and amendments thereto, the
state aid percentage factor of a school district is the percentage assigned
to the schedule amount that is equal to the amount of the AVPP of the
school district. The state aid percentage factor of a school district shall
not exceed 100%. The state aid computation percentage is 5% for
contractual bond obligations incurred by a school district prior to the
effective date of this act, and 25% for contractual bond obligations
incurred by a school district on or after the effective date of this act;

(B) (i) For contractual bond obligations incurred by a school
district prior to July 1, 1992, the state aid computation percentage is
5%.

(ii) For contractual bond obligations incurred by a school district
on or after July 1, 1992, if the issuance of such bonds has been
approved by the electors of the school district at an election held prior
to July 1, 2011, the state aid computation percentage is 25%.

(iii) For contractual bond obligations incurred by a school district
the issuance of which was approved by the electors of the district at an
election held on or after July 1, 2011, the state aid computation
percentage is 15%;

(5) determine the amount of payments in the aggregate that a
school district is obligated to make from its bond and interest fund and,
of such amount, compute the amount attributable to contractual bond
obligations incurred by the school district prior to the effective date of
this act and the amount attributable to contractual bond obligations
incurred by the school district on or after the effective date of this act
under paragraphs (4)(B)(i), (4)(B)(ii) and (4)(B)(iii) of this subsection;

(6) multiply each of the amounts computed under (5) by the
applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is
the amount of payment the school district is entitled to receive from the
school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2011, and June 30, 2012, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Amounts transferred to the capital improvements fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

New Sec. 3. (a) As used in this section:

(1) “School district” or “district” means a school district having less than 200 square miles in area and an enrollment of less than 400.

(2) “Joint committee” means the joint committee on state building construction.

(b) The board of education of any school district shall not authorize the issuance of any bonds for the construction of a new building
without having first advised and consulted with the joint committee. Prior to the date of the hearing of the joint committee at which the board is scheduled to appear, the board shall submit any information requested by the joint committee. Following such hearing, the committee shall make a recommendation on the advisability of the proposed issuance of bonds. A copy of the committee’s recommendation shall be provided to the school district and to the state board of education within 15 days of the date of the hearing.

(c) If the joint committee recommends against the issuance of any bonds for the construction of a new building and the district issues bonds for such construction, the district shall not be entitled to, and shall not receive, state aid for such bonds under K.S.A. 75-2319, and amendments thereto.

(d) The provisions of this section shall not apply to any district which is not entitled to state aid under K.S.A. 75-2319, and amendments thereto.

[New Sec. 4. ][Moneys received by a school district from bonds issued by the school district shall be used for the purposes for which the bonds were issued in pursuant to the election on the bonds.]

Sec. 4. [5.] K.S.A. 2010 Supp. 72-8814 and 75-2319 are hereby repealed.

Sec. 5. [6.] This act shall take effect and be in force from and after its publication in the statute book.