

HOUSE BILL No. 2321

By Committee on Education

2-5

AN ACT concerning unified school district No. 512, Johnson county, Kansas; relating to elections on closure of school buildings; amending K.S.A. 72-8136e and repealing the existing section.

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

Section 1. K.S.A. 72-8136e is hereby amended to read as follows: 72-8136e. (a) Subsequent to the public hearing provided for in K.S.A. 72-8136d, and amendments thereto, the board of education ~~shall~~, after considering all the testimony and evidence brought forth at the public hearing and reconsidering the factors set forth in K.S.A. 72-8136b, and amendments thereto, *shall* make a final decision as to the closing of the affected school building. The decision shall be in writing and shall include a statement by the board of all factors considered by the board in reaching its decision, including those factors heretofore set forth and all of the factors shall be supported with appropriate data and information.

(b) Within 30 days after the date of the public hearing and in no event later than January 15 of the school year, the board shall publish its final decision as to the closing of the affected school building in a newspaper of general circulation in the school district at least once a week for two consecutive weeks. The final decision either not to close the affected school building or to close the affected school building at the conclusion of the school year may be implemented unless a petition in opposition to implementation of the same, signed by not less than 5% of the registered electors residing within the ~~member district of the unified school district in which the affected school building is located~~, is filed with the county election officer of the home county of the school district within 45 days after publication of the final decision. In the event such a petition is filed, such county election officer shall hold an election upon the question of whether such school building should be closed. Such election shall be called within 30 days after such petition is filed and shall be held in the manner provided by law for elections on questions submitted in the school district. All registered electors residing within the ~~member district of the unified school district in which the affected school building is located~~ may vote at the election. The board shall not close any affected school building pending any election to be held under the provisions of this section. If a

1 majority of those voting at such election are not in favor of closing the
2 affected school building the same shall not be closed. If a majority of the
3 votes at such election are in favor of closing the affected school building,
4 the board may close the affected school building at the conclusion of the
5 current school year.

6 ~~(c) In the event the attendance area in which the affected school~~
7 ~~building is located consists of territory which is located in more than one~~
8 ~~member district of the school district, the registered electors residing in~~
9 ~~any precinct or precincts in which any portion of the attendance area~~
10 ~~which is outside the member district in which the affected school building~~
11 ~~is located shall be eligible to sign the petition and to vote at the election~~
12 ~~provided for by subsection (b) of this section.~~

13 Sec. 2. K.S.A. 72-8136e is hereby repealed.

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

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