

## HOUSE BILL No. 2437

By Committee on Taxation

3-11

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AN ACT concerning school districts; creating attendance center districts; levying taxes therefor; amending K.S.A. 72-8213b and repealing the existing section.

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

New Section 1. (a) As used in this section:

(1) "Attendance center" means any building or structure operated or maintained by the board of education of a unified school district where pupil instruction occurs.

(2) "Attendance center district" or "district" means the area within the boundaries of the attendance center proposed to be closed.

(b) The board of education of any unified school district, upon presentation of a petition signed by 10% of the qualified electors of such attendance center district determined upon the basis of the total vote cast for the secretary of state at the last preceding general election, shall cause to be submitted to the voters of such attendance center district at the first general election thereafter, or if the petition so requires, at a special election called for that purpose, the question of the establishment and maintenance of an attendance center district for the purpose of keeping open and maintaining the attendance center. Such petition shall be presented to the board of education within 45 days after the final decision to close the attendance center and shall contain the boundaries of the proposed attendance center district. Such petition shall be filed with the county election officer. Such election shall be called and held in the manner provided by the general bond law.

(c) If a majority of the votes cast at such election on such proposition shall be in the affirmative, the board of education shall forthwith establish such district and is hereby authorized to and shall annually levy an ad valorem tax upon property in such district in such sum as the board of education annually determines which equals the amount of the verified anticipated savings, determined pursuant to K.S.A. 72-8213b, and amendments thereto.

(d) Such tax shall be levied and collected in like manner as other taxes of the unified school district.

(e) Moneys collected shall be used by the board of education to keep

1 open and maintain such attendance center. Such moneys shall not be  
2 subject to the provisions of K.S.A. 79-2925 through 79-2937, and amend-  
3 ments thereto.

4 (f) Upon the adoption of the proposition establishing an attendance  
5 center district, the board of education of the unified school district shall  
6 be the governing body of the district. The district shall be a body cor-  
7 porate and politic and shall be vested with all the power and authority  
8 necessary to effectuate the purposes of this section. Officers of the board  
9 of education shall be the officers of the district where appropriate and  
10 shall have such duties as provided by law and directed by the governing  
11 body of the district.

12 Sec. 2. K.S.A. 72-8213b is hereby amended to read as follows: 72-  
13 8213b. (a) As used in this section, "school building" means any building  
14 or structure operated or maintained by the board of education of a unified  
15 school district.

16 (b) *Except as provided in section 1, and amendments thereto*, the  
17 board of education of any unified school district, by adoption of a reso-  
18 lution, may close any school building at any time the board determines  
19 that the building should be closed to improve the school system of the  
20 unified school district. The board of education may close more than one  
21 school building in one resolution. A resolution adopted pursuant to this  
22 section shall require a majority vote of the members of the board of  
23 education and shall require no other approval *but shall be subject to the*  
24 *provisions of section 1, and amendments thereto.*

25 (c) Prior to adopting a resolution closing any school building, the  
26 board of education shall call and hold a hearing on the proposal. The  
27 notice of such hearing shall include the reasons for the proposed closing,  
28 the name of any affected building ~~and~~, *a description of the boundaries of*  
29 *the area served by the school building proposed to be closed*, the name  
30 of any school building to which the involved pupils shall be reassigned,  
31 *the anticipated savings to the school district, if any, and the impact on*  
32 *the education of the pupils proposed to be reassigned.* Such notice also  
33 shall include the time, date and place of the public hearing to be held on  
34 the proposal. Such notice shall be published at least once each week for  
35 two consecutive weeks in a newspaper of general circulation in the school  
36 district. The last publication shall be at least 10 but not more than 20 days  
37 prior to the date of the public hearing.

38 (d) *When the amount of anticipated savings to the school district, if*  
39 *any, is determined by the board of education as required in the notice,*  
40 *the board of education shall submit the amount of such anticipated savings*  
41 *to the state board of education for verification. In verifying such savings,*  
42 *the state board shall review the additional costs of operating two school*  
43 *buildings as opposed to one school building, any reductions in employees,*

1 *and any other monetary factors as the state board deems necessary. The*  
2 *findings of the state board shall be presented at the hearing.*

3 (e) At such hearing, the board shall hear testimony as to the advisa-  
4 bility of the proposed closing, and a representative of the board shall  
5 present the board's proposal for such closing. Following the public hear-  
6 ing, or any continuation of such hearing, and after considering all of the  
7 testimony and evidence presented or submitted at the public hearing, the  
8 board shall determine whether the school building should be closed to  
9 improve the school system of the unified school district.

10 (f) *The final decision to close the affected school building may be*  
11 *implemented unless a petition in opposition to implementation of the same*  
12 *is filed pursuant to section 1, and amendments thereto, within 45 days*  
13 *after the final decision.*

14 (g) *The board of education shall not attempt to close the school build-*  
15 *ing which is being kept open and maintained by the attendance center*  
16 *district created pursuant to the provisions of section 1, and amendments*  
17 *thereto, within three years from the date of the creation of such district.*

18 Sec. 3. K.S.A. 72-8213b is hereby repealed.

19 Sec. 4. This act shall take effect and be in force from and after its  
20 publication in the statute book.

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