

SESSION OF 2003

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2231

As Amended by Senate Committee of the Whole

Brief*

HB 2231 would amend several sections of school law. The major changes in the bill are as follows:

- ! School districts would be allowed to charge fees for preschool programs. Under current law, school districts may provide such programs, but cannot charge for them.
- ! Reconciles conflicts in 2002 SB 551, HB 2094, and SB 531. The bill deletes duplications or conflicting sections that pertain to the definition of a juvenile detention facility; the number of students counted for preschool-aged at-risk programs; and criteria that the State Board of Education may consider in hearings on transfer of school territory.
- ! Maintains the five-year limit on the capital outlay mill levy. The bill would expand the use of revenues generated by the levy to include acquisition of computer software and other technology expenses, and payments for utility services and insurance premiums. However, the authority to levy a tax or issue bonds to pay for the expanded uses of the capital outlay fund would expire on June 30, 2006.

Background

A representative of the Coordinating Council on Early Childhood Developmental Services was a proponent for the original bill. Language in the bill was deleted which stated that fees could not be charged for children who had an Individual Education Plan (IEP).

The Senate Committee on Education amended HB 2004 into this bill which the Legislative Educational Planning Committee had

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

recommended after it was pointed out the need to have the statutes codified.

In addition, the Senate Committee on Education amended SB 22 into this bill. The list of items for which capital outlay funds can be used would be expanded. Currently, proceeds from the levy can be used for the following:

- Acquisition, construction, repair, remodeling, furnishing, and equipping school district facilities;
- Acquisition of building sites;
- Undertaking and maintenance of asbestos control projects;
- Acquisition of school buses; and
- Acquisition of other equipment.

The bill as amended would add the following:

- Acquisition of computers software, and other technology expenses;
- Utility services; and
- Insurance premiums.

Under the bill, expenditures from the capital outlay fund could be made only for allowable items identified in the resolution which must be adopted before a levy can be made. If the bill is enacted, a school district that is making expenditures from its capital outlay fund under an existing resolution would be limited to those expenditures specified in the resolution. In order to make expenditures for the expanded uses that would be authorized by the bill, a school district would have to adopt a new resolution and only the funds accrued after publishing the new resolution could be spent on the new uses.

The Senate Committee of the Whole amended the bill by restoring the five-year limit on the capital outlay mill levy. In addition, the Committee of the Whole deleted computers from the list of new items that could be purchased with capital outlay funds. Computers can be purchased with capital outlay funds under existing law.

According to the fiscal notes prepared by the Division of the Budget, HB 2231, HB 2004, and SB 22 would have no fiscal effect on the state.