

HOUSE BILL No. 2019

By Committee on Vision 2020

1-14

1 AN ACT concerning property taxation; relating to the Kansas educational
2 building fund; relating to the use of moneys credited thereto; amending
3 K.S.A. 76-6b02 and 76-6b03 and K.S.A. 2014 Supp. 76-6b01 and
4 repealing the existing sections.
5

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

7 Section 1. K.S.A. 2014 Supp. 76-6b01 is hereby amended to read as
8 follows: 76-6b01. (a) There is hereby levied an annual permanent state tax
9 upon all tangible property in this state which is subject to ad valorem
10 taxation. *Except as otherwise provided in subsection (b),* the tax levy shall
11 be ~~6 mill in the year 2003 and 1 mill in the year 2004~~ tax year 2015 and
12 each tax year thereafter until changed by statute. Such tax levy shall be in
13 addition to all other state tax levies authorized by law. Such tax levy shall
14 be for the use and benefit of the state institutions of higher education. The
15 proceeds of such tax levy shall be apportioned in accordance with this act.

16 (b) *Commencing in tax year 2016 and each tax year thereafter, the*
17 *tax levy shall be 4 mills, provided the state board of regents satisfies the*
18 *reporting requirements set forth in K.S.A. 76-6b03(b), and amendments*
19 *thereto, on or before July 1 of such tax year.*

20 (c) The county treasurer of each county shall make the proceeds of
21 the tax levy provided for in this section available to the state treasurer
22 immediately upon collection. When available the state treasurer shall
23 withdraw from each county the proceeds of the taxes raised by such tax
24 levy. Upon such withdrawal the state treasurer shall deposit the same in the
25 state treasury and shall credit the same as provided in K.S.A. 76-6b02, *and*
26 *amendments thereto.*

27 Sec. 2. K.S.A. 76-6b02 is hereby amended to read as follows: 76-
28 6b02. (a) (1) All moneys received by the state treasurer under K.S.A. 76-
29 6b01, and amendments thereto, shall be credited to the Kansas educational
30 building fund ~~to~~. *That portion of the moneys first credited to the Kansas*
31 *educational building fund which are equivalent to a 1 mill tax levy on all*
32 *tangible property in this state shall be used for the construction,*
33 *reconstruction, equipment and repair of buildings and grounds at the state*
34 *educational institutions under the control and supervision of the state*
35 *board of regents and for payment of debt service on revenue bonds issued*
36 *to finance such projects, all subject to appropriation by the legislature.*

1 (2) *All remaining moneys credited to the Kansas educational building*
2 *fund shall be used as follows:*

3 (A) *To upgrade broadband capabilities within and between the*
4 *campuses of state educational institutions, between state educational*
5 *institutions and other postsecondary educational institutions and between*
6 *state educational institutions and other information technology networks*
7 *located outside this state;*

8 (B) *to increase data storage and high performance computing*
9 *capabilities in order to maximize the benefits of collecting, storing and*
10 *utilizing human genome data from participating persons which will lead to*
11 *improved delivery and effectiveness of personalized pharmaceutical*
12 *applications;*

13 (C) *to maximize the benefits of research on plant genomes, especially*
14 *research relating to producing crops requiring lower water inputs;*

15 (D) *to increase research on aircraft design, flight performance*
16 *enhancements and polymer and other composite manufacturing; and*

17 (E) *such other research priorities and infrastructure development and*
18 *maintenance projects identified by the state board of regents.*

19 (b) Subject to any restrictions imposed by appropriation acts, the state
20 board of regents is authorized to pledge funds appropriated to it from the
21 Kansas educational building fund or from any other source and transferred
22 to a special revenue fund of the state board of regents specified by statute
23 for the payment of debt service on revenue bonds issued for the purposes
24 set forth in subsection (a). Subject to any restrictions imposed by
25 appropriation acts, the state board of regents is also authorized to pledge
26 any funds appropriated to it from the Kansas educational building fund or
27 from any other source and transferred to a special revenue fund of the state
28 board of regents specified by statute as a priority for the payment of debt
29 service on such revenue bonds. Neither the state or the state board of
30 regents shall have the power to pledge the faith and credit or taxing power
31 of the state of Kansas for such purposes and any payment by the state
32 board of regents for such purposes shall be subject to and dependent on
33 appropriations being made from time to time by the legislature. Any
34 obligation of the state board of regents for payment of debt service on
35 revenue bonds and any such revenue bonds issued for the purposes set
36 forth in subsection (a) shall not be considered a debt or obligation of the
37 state for the purpose of section 6 of article 11 of the constitution of the
38 state of Kansas.

39 Sec. 3. K.S.A. 76-6b03 is hereby amended to read as follows: 76-
40 6b03. (a) The state board of regents shall submit to the legislature at each
41 regular session a report showing the long-range building needs of the
42 institutions named in K.S.A. 76-6b02, and *amendments thereto*, including
43 recommendations regarding the construction, reconstruction, equipment

1 and repair of buildings and grounds at such institutions during the ensuing
2 fiscal year. Such provisions and appropriations for these purposes as the
3 legislature shall deem proper shall be made by it. Such report and
4 recommendations shall be made by, through, and included in the budget
5 request made by ~~said~~ the board as provided by law. The report of the long-
6 range building needs shall be made as a supplemental part of the ~~said~~
7 budget request for informational purposes, and the recommendations for
8 the ensuing fiscal year shall be included as a part of the regular budget
9 requests.

10 *(b) The state board of regents may submit to the secretary of revenue*
11 *a report showing the needs of the institutions named in K.S.A. 76-6b02,*
12 *and amendments thereto, for those research priorities and infrastructure*
13 *improvements specified in K.S.A. 76-6b02(a)(2), and amendments thereto.*
14 *Such report shall describe the specific projects needed at each institution,*
15 *the amount of funding necessary to complete each such project and the*
16 *amount of funds held in the Kansas educational building fund that will be*
17 *utilized for each such project. If the board decides to submit such a report,*
18 *then the report shall be submitted to the secretary on or before July 1, and*
19 *the board shall cause the report to be published in the Kansas register on*
20 *or before July 15. Upon receipt of such report, the secretary shall notify*
21 *each county treasurer that the state board of regents has satisfied the*
22 *requirements of this section and that the tax levy specified in K.S.A. 76-*
23 *6b01(b), and amendments thereto, shall be imposed for such tax year.*

24 *(c) On or before July 1, 2016, the secretary of revenue shall adopt*
25 *such rules and regulations as the secretary deems necessary to implement*
26 *the provisions of this section.*

27 Sec. 4. K.S.A. 76-6b02 and 76-6b03 and K.S.A. 2014 Supp. 76-6b01
28 are hereby repealed.

29 Sec. 5. This act shall take effect and be in force from and after its
30 publication in the statute book.