

SENATE BILL No. 147

By Select Committee on Federal Tax Code Implementation

1 AN ACT concerning education; relating to the instruction and financing
2 thereof; making and concerning appropriations for the fiscal years
3 ending June 30, 2019, June 30, 2020, and June 30, 2021, for the
4 department of education; amending K.S.A. 72-5142 and 72-5462 and
5 K.S.A. 2018 Supp. 79-201x and repealing the existing sections.

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

8 Section 1.

9 DEPARTMENT OF EDUCATION

10 (a) There is appropriated for the above agency from the state general
11 fund for the fiscal year ending June 30, 2019, the following:

12 KPERS – employer
13 contributions – non-USDs (652-00-1000-0100).....\$1,036,647
14 KPERS – employer
15 contributions – USDs (652-00-1000-0110).....\$18,986,873
16 Supplemental general state aid (652-00-1000-0840).....\$10,383,000

17 (b) On the effective date of this act, of the \$520,000 appropriated for
18 the above agency for the fiscal year ending June 30, 2019, by section 76(a)
19 of chapter 109 of the 2018 Session Laws of Kansas from the state general
20 fund in the teach for America pilot program account (652-00-1000-0200)
21 the sum of \$250,000 is hereby lapsed.

22 (c) On the effective date of this act, of the \$4,771,500 appropriated
23 for the above agency for the fiscal year ending June 30, 2019, by section
24 2(a) of chapter 95 of the 2017 Session Laws of Kansas from the state
25 general fund in the school district juvenile detention facilities and Flint
26 Hills job corps center grants account (652-00-1000-0290) the sum of
27 \$927,439 is hereby lapsed.

28 (d) On the effective date of this act, of the \$327,500 appropriated for
29 the above agency for the fiscal year ending June 30, 2019, by section 2(a)
30 of chapter 95 of the 2017 Session Laws of Kansas from the state general
31 fund in the governor's teaching excellence scholarships and awards
32 account (652-00-1000-0770) the sum of \$142,326 is hereby lapsed.

33 (e) On the effective date of this act, of the \$2,046,657,545
34 appropriated for the above agency for the fiscal year ending June 30, 2019,
35 by section 2(a) of chapter 95 of the 2017 Session Laws of Kansas from the
36 state general fund in the state foundation aid account (652-00-1000-0820)

1 the sum of \$39,326,035 is hereby lapsed.

2 (f) On the effective date of this act, of the \$2,500,000 appropriated
 3 for the above agency for the fiscal year ending June 30, 2019, by section
 4 1(a) of chapter 57 of the 2018 Session Laws of Kansas from the state
 5 general fund in the MHIT pilot program – online database account (652-
 6 00-1000-0160) the sum of \$2,000,000 is hereby lapsed.

7 (g) On the effective date of this act, the director of accounts and
 8 reports shall transfer \$105,894 from the school district extraordinary
 9 declining enrollment fund (652-00-2290-2290) of the department of
 10 education to the state general fund.

11 (h) During the fiscal year ending June 30, 2019, the commissioner of
 12 education, with the approval of the director of the budget, may transfer any
 13 part of any item of appropriation for fiscal year 2019 from the state general
 14 fund for the department of education to another item of appropriation for
 15 fiscal year 2019 from the state general fund for the department of
 16 education. The commissioner of education shall certify each such transfer
 17 to the director of accounts and reports and shall transmit a copy of each
 18 such certification to the director of legislative research.

19 Sec. 2.

20 DEPARTMENT OF EDUCATION

21 (a) There is appropriated for the above agency from the state general
 22 fund for the fiscal year ending June 30, 2020, the following:

23 Operating expenditures (including
 24 official hospitality) (652-00-1000-0053).....\$13,477,957

25 *Provided*, That any unencumbered balance in the operating expenditures
 26 (including official hospitality) account in excess of \$100 as of June 30,
 27 2019, is hereby reappropriated for fiscal year 2020.

28 Special education
 29 services aid (652-00-1000-0700).....\$497,880,818

30 *Provided*, That any unencumbered balance in the special education
 31 services aid account in excess of \$100 as of June 30, 2019, is hereby
 32 reappropriated for fiscal year 2020: *Provided further*, That expenditures
 33 shall not be made from the special education services aid account for the
 34 provision of instruction for any homebound or hospitalized child, unless
 35 the categorization of such child as exceptional is conjoined with the
 36 categorization of the child within one or more of the other categories of
 37 exceptionality: *And provided further*, That expenditures shall be made from
 38 this account for grants to school districts in amounts determined pursuant
 39 to and in accordance with the provisions of K.S.A. 72-3425, and
 40 amendments thereto: *And provided further*, That expenditures shall be
 41 made from the amount remaining in this account, after deduction of the
 42 expenditures specified in the foregoing provisos, for payments to school
 43 districts in amounts determined pursuant to and in accordance with the

1 provisions of K.S.A. 72-3422, and amendments thereto.

2 State foundation aid (652-00-1000-0820).....\$2,225,115,906

3 *Provided*, That any unencumbered balance in the state foundation aid

4 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for

5 fiscal year 2020.

6 Supplemental state aid (652-00-1000-0840).....\$503,300,000

7 *Provided*, That any unencumbered balance in the supplemental state aid

8 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for

9 fiscal year 2020.

10 Mentor teacher (652-00-1000-0440).....\$1,300,000

11 Professional development (652-00-1000-0860).....\$1,700,000

12 Information technology education

13 opportunities (652-00-1000-0600).....\$500,000

14 Discretionary grants (652-00-1000-0400).....\$322,457

15 *Provided*, That the above agency shall make expenditures from the

16 discretionary grants account during the fiscal year 2020, in the amount not

17 less than \$125,000 for after school programs for middle school students in

18 the sixth, seventh and eighth grades: *Provided further*; That the after school

19 programs may also include fifth and ninth grade students, if they attend a

20 junior high: *And provided further*; That such discretionary grants shall be

21 awarded to after school programs that operate for a minimum of two hours

22 a day, every day that school is in session, and a minimum of six hours a

23 day for a minimum of five weeks during the summer: *And provided*

24 *further*; That the discretionary grants awarded to after school programs

25 shall require a \$1 for \$1 local match: *And provided further*; That the

26 aggregate amount of discretionary grants awarded to any one after school

27 program shall not exceed \$25,000.

28 School food assistance (652-00-1000-0320).....\$2,510,486

29 School safety hotline (652-00-1000-0230).....\$10,000

30 KPERS – employer

31 contributions – non-USDs (652-00-1000-0100).....\$41,418,747

32 *Provided*, That any unencumbered balance in the KPERS – employer

33 contributions – non-USDs account in excess of \$100 as of June 30, 2019,

34 is hereby reappropriated for fiscal year 2020: *Provided further*; That all

35 expenditures from the KPERS – employer contributions – non-USDs

36 account shall be for payment of participating employers' contributions to

37 the Kansas public employees retirement system as provided in K.S.A. 74-

38 4939, and amendments thereto: *And provided further*; That expenditures

39 from this account for the payment of participating employers' contributions

40 to the Kansas public employees retirement system may be made regardless

41 of when the liability was incurred.

42 KPERS – employer

43 contributions – USDs (652-00-1000-0110).....\$533,603,431

1 *Provided*, That any unencumbered balance in the KPERS – employer
 2 contributions – USDs account in excess of \$100 as of June 30, 2019, is
 3 hereby reappropriated for fiscal year 2020: *Provided further*, That all
 4 expenditures from the KPERS – employer contributions – USDs account
 5 shall be for payment of participating employers' contributions to the
 6 Kansas public employees retirement system as provided in K.S.A. 74-
 7 4939, and amendments thereto: *And provided further*, That expenditures
 8 from this account for the payment of participating employers' contributions
 9 to the Kansas public employees retirement system may be made regardless
 10 of when the liability was incurred.

11 KPERS employer contribution

12 layering payment #1 (652-00-1000-0120).....	\$6,400,000
13 KPERS employer contribution	
14 layering payment #2.....	\$19,400,000
15 Career and technical education	
16 transportation (652-00-1000-0190).....	\$650,000
17 Education super highway (652-00-1000-0180).....	\$950,000

18 *Provided*, That any unencumbered balance in the education super highway
 19 account in excess of \$100 as of June 30, 2019, is hereby reappropriated for
 20 fiscal year 2020.

21 Juvenile transitional crisis center

22 pilot project (652-00-1000-0210).....	\$300,000
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23 *Provided*, That expenditures from the juvenile transitional crisis center
 24 pilot project account shall be used by the above agency during fiscal year
 25 2020 to develop a regional crisis center pilot project at the Beloit special
 26 education cooperative, founded on research and evidence-based practices
 27 designed to meet the unique social and emotional needs of students
 28 identified as at-risk or with disabilities: *Provided further*, That such project
 29 shall provide individualized programming to attain such student's high
 30 school diploma and job skills while working through the social skills
 31 program: *And provided further*, That the commissioner of education shall
 32 provide an update on the implementation of the pilot project developed by
 33 this proviso to the legislature on or before the first day of the 2020 regular
 34 legislative session.

35 ACT and workkeys assessments

36 program (652-00-1000-0140).....	\$2,800,000
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37 *Provided*, That expenditures shall be made by the above agency from the
 38 ACT and workkeys assessments program account to provide the ACT
 39 college entrance exam and the three ACT workkeys assessments that are
 40 required to earn a national career readiness certificate to each student
 41 enrolled in grades nine through 12: *Provided further*, That no student
 42 enrolled in grades nine through 12 of any school district shall be required
 43 to pay any fees or costs to take such exam and assessments: *And provided*

1 *further*; That in no event shall any school district be required to provide for
 2 more than one exam and three assessments per student: *And provided*
 3 *further*; That the state board of education may enter into any contracts that
 4 are necessary to promote statewide cost savings to administer such exams
 5 and assessments.

6 Mental health intervention team

7 pilot program (652-00-1000-0150).....\$4,190,776

8 *Provided*, That expenditures shall be made by the above agency to
 9 implement the mental health intervention team pilot program so as to
 10 improve social-emotional wellness and outcomes for students by
 11 increasing schools' access to counselors, social workers and psychologists
 12 statewide: *Provided further*; That school districts participating in such
 13 program shall enter into the necessary memorandums of understanding and
 14 other necessary agreements with participating community mental health
 15 centers and the appropriate state agencies to implement the pilot program:
 16 *And provided further*; That mental health intervention teams shall consist
 17 of school liaisons employed by the participating school district, and
 18 clinical therapists and case managers employed by the participating
 19 community mental health center: *And provided further*; That the following
 20 shall participate in the pilot program for fiscal year 2020: (1) 23 schools in
 21 the Wichita school district (U.S.D. no. 259); (2) 28 schools in the Topeka
 22 school district (U.S.D. no. 501); (3) 10 schools in the Kansas City school
 23 district (U.S.D. no. 500); (4) 5 schools in the Parsons school district
 24 (U.S.D. no. 503); (5) 4 schools in the Garden City school district (U.S.D.
 25 no. 457); and (6) 9 schools served by the fiscal agent, Abilene school
 26 district (U.S.D. no. 435): *And provided further*; That on or before June 30,
 27 2020, the director of the division of health care finance of the department
 28 of health and environment shall certify to the director of the budget and the
 29 director of the legislative research department the aggregate amount of
 30 expenditures for fiscal year 2020 for treatment and services for students
 31 provided under the mental health intervention team pilot program, or
 32 provided based on a referral from such program.

33 MHIT pilot program – online

34 database (652-00-1000-0160).....\$500,000

35 MHIT school liaisons (652-00-1000-0170).....\$3,263,110

36 *Provided*, That expenditures shall be made by the above agency for mental
 37 health intervention team school liaisons employed by those school districts
 38 participating in the mental health intervention team pilot program.

39 Educable deaf-blind and

40 severely handicapped children's

41 programs aid (652-00-1000-0630).....\$110,000

42 School district juvenile detention

43 facilities and Flint Hills job corps

1 center grants (652-00-1000-0290).....\$5,060,528
2 *Provided*, That any unencumbered balance in the school district juvenile
3 detention facilities and Flint Hills job corps center grants account in excess
4 of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2020:
5 *Provided further*, That expenditures shall be made from the school district
6 juvenile detention facilities and Flint Hills job corps center grants account
7 for grants to school districts in amounts determined pursuant to and in
8 accordance with the provisions of K.S.A. 72-1173, and amendments
9 thereto.

10 Governor's teaching excellence scholarships
11 and awards (652-00-1000-0770).....\$360,693
12 *Provided*, That any unencumbered balance in the governor's teaching
13 excellence scholarships and awards account in excess of \$100 as of June
14 30, 2019, is hereby reappropriated for fiscal year 2020: *Provided further*,
15 That all expenditures from the governor's teaching excellence scholarships
16 and awards account for teaching excellence scholarships shall be made in
17 accordance with K.S.A. 72-2166, and amendments thereto: *And provided*
18 *further*, That each such grant shall be required to be matched on a \$1 for \$1
19 basis from nonstate sources: *And provided further*, That award of each such
20 grant shall be conditioned upon the recipient entering into an agreement
21 requiring the grant to be repaid if the recipient fails to complete the course
22 of training under the national board for professional teaching standards
23 certification program: *And provided further*, That all moneys received by
24 the department of education for repayment of grants for governor's
25 teaching excellence scholarships shall be deposited in the state treasury
26 and credited to the governor's teaching excellence scholarships program
27 repayment fund (652-00-7221-7200).

28 Governor's scholars program scholarships
29 and awards.....\$20,000
30 (b) There is appropriated for the above agency from the following
31 special revenue fund or funds for the fiscal year ending June 30, 2020, all
32 moneys now or hereafter lawfully credited to and available in such fund or
33 funds, except that expenditures other than refunds authorized by law and
34 transfers to other state agencies shall not exceed the following:

35 State school district
36 finance fund (652-00-7393-7000).....No limit
37 School district capital
38 improvements fund (652-00-2880-2880).....No limit
39 *Provided*, That expenditures from the school district capital improvements
40 fund shall be made only for the payment of general obligation bonds
41 approved by voters under the authority of K.S.A. 72-5457, and
42 amendments thereto.

43 Mineral production

1	education fund (652-00-7669-7669).....	No limit
2	School district capital outlay	
3	state aid fund.....	No limit
4	Conversion of materials and	
5	equipment fund (652-00-2420-2020).....	No limit
6	State safety fund (652-00-2538-2030).....	No limit
7	<i>Provided, That notwithstanding the provisions of K.S.A. 8-272, and</i>	
8	<i>amendments thereto, or any other statute, funds shall be distributed during</i>	
9	<i>fiscal year 2020 as soon as moneys are available.</i>	
10	School bus safety fund (652-00-2532-2300).....	No limit
11	Motorcycle safety fund (652-00-2633-2050).....	No limit
12	Federal indirect cost	
13	reimbursement fund (652-00-2312-2200).....	No limit
14	Teacher and administrator	
15	fee fund (652-00-2723-2060).....	No limit
16	Food assistance –	
17	federal fund (652-00-3230-3020).....	No limit
18	Food assistance – school	
19	breakfast program –	
20	federal fund (652-00-3529-3490).....	No limit
21	Food assistance – national	
22	school lunch program –	
23	federal fund (652-00-3530-3500).....	No limit
24	Food assistance – child	
25	and adult care food program –	
26	federal fund (652-00-3531-3510).....	No limit
27	Community-based	
28	child abuse prevention –	
29	federal fund (652-00-3319-7400).....	No limit
30	Family and children	
31	investment fund (652-00-7375).....	No limit
32	Elementary and secondary school aid –	
33	federal fund (652-00-3233-3040).....	No limit
34	Educationally deprived	
35	children – state operations –	
36	federal fund (652-00-3131-3130).....	No limit
37	Elementary and secondary school –	
38	educationally deprived children –	
39	LEA's fund (652-00-3532-3520).....	No limit
40	Education of handicapped children	
41	fund – federal (652-00-3234-3050).....	No limit
42	Education of handicapped	
43	children fund – state operations –	

1	federal fund (652-00-3534-3540).....	No limit
2	Education of handicapped	
3	children fund – preschool –	
4	federal fund (652-00-3535-3550).....	No limit
5	Education of handicapped	
6	children fund – preschool state	
7	operations – federal (652-00-3536-3560).....	No limit
8	Elementary and secondary school	
9	aid – federal fund – migrant	
10	education fund (652-00-3537-3570).....	No limit
11	Elementary and secondary school aid –	
12	federal fund – migrant education –	
13	state operations (652-00-3538-3580).....	No limit
14	Vocational education title I –	
15	federal fund (652-00-3539-3590).....	No limit
16	Vocational education title I – federal fund –	
17	state operations (652-00-3540-3600).....	No limit
18	Educational research grants and	
19	projects fund (652-00-3592-3070).....	No limit
20	Inservice education workshop	
21	fee fund (652-00-2230-2010).....	No limit
22	<i>Provided</i> , That expenditures may be made from the inservice education	
23	workshop fee fund for operating expenditures, including official	
24	hospitality, incurred for inservice workshops and conferences: <i>Provided</i>	
25	<i>further</i> , That the state board of education is hereby authorized to fix,	
26	charge and collect fees for inservice workshops and conferences: <i>And</i>	
27	<i>provided further</i> , That such fees shall be fixed in order to recover all or	
28	part of such operating expenditures incurred for inservice workshops and	
29	conferences: <i>And provided further</i> , That all fees received for inservice	
30	workshops and conferences shall be deposited in the state treasury in	
31	accordance with the provisions of K.S.A. 75-4215, and amendments	
32	thereto, and shall be credited to the inservice education workshop fee fund.	
33	Private donations, gifts, grants and	
34	bequests fund (652-00-7307-5000).....	No limit
35	Reimbursement for	
36	services fund (652-00-3056-3200).....	No limit
37	Communities in schools	
38	program fund (652-00-2221-2400).....	No limit
39	Governor's teaching	
40	excellence scholarships program	
41	repayment fund (652-00-7221-7200).....	No limit
42	<i>Provided</i> , That all expenditures from the governor's teaching excellence	
43	scholarships program repayment fund shall be made in accordance with	

1 K.S.A. 72-2166, and amendments thereto: *Provided further*, That each
 2 such grant shall be required to be matched on a \$1 for \$1 basis from
 3 nonstate sources: *And provided further*, That award of each such grant shall
 4 be conditioned upon the recipient entering into an agreement requiring the
 5 grant to be repaid if the recipient fails to complete the course of training
 6 under the national board for professional teaching standards certification
 7 program: *And provided further*, That all moneys received by the
 8 department of education for repayment of grants made under the
 9 governor's teaching excellence scholarships program shall be deposited in
 10 the state treasury in accordance with the provisions of K.S.A. 75-4215, and
 11 amendments thereto, and shall be credited to the governor's teaching
 12 excellence scholarships program repayment fund.

13 State grants for improving teacher quality –

14	federal fund (652-00-3526-3860).....	No limit
15	State grants for improving	
16	teacher quality – federal fund –	
17	state operations (652-00-3527-3870).....	No limit
18	21 st century community learning centers –	
19	federal fund (652-00-3519-3890).....	No limit
20	State assessments –	
21	federal fund (652-00-3520-3800).....	No limit
22	Rural and low-income schools program –	
23	federal fund (652-00-3521-3810).....	No limit
24	TANF children's programs –	
25	federal fund (652-00-3323-0531).....	No limit
26	ESSA – student support academic enrichment –	
27	federal fund (652-00-3113-3113).....	No limit
28	Language assistance state grants –	
29	federal fund (652-00-3522-3820).....	No limit
30	Service clearing fund (652-00-2869-2800).....	No limit
31	Local school district contribution program	
32	checkoff fund (652-00-7005-7005).....	No limit
33	Educational technology	
34	coordinator fund (652-00-2157-2157).....	No limit

35 *Provided*, That expenditures shall be made by the above agency for the
 36 fiscal year ending June 30, 2020, from the educational technology
 37 coordinator fund of the department of education to provide data on the
 38 number of school districts served and cost savings for those districts in
 39 fiscal year 2020 in order to assess the cost effectiveness of the position of
 40 educational technology coordinator.

41 (c) There is appropriated for the above agency from the children's
 42 initiatives fund for the fiscal year ending June 30, 2020, the following:
 43 Parent education program (652-00-2000-2510).....\$8,237,635

1 *Provided*, That any unencumbered balance in the parent education
 2 program account in excess of \$100 as of June 30, 2019, is hereby
 3 reappropriated for fiscal year 2020: *Provided further*, That expenditures
 4 from the parent education program account for each such grant shall be
 5 matched by the school district in an amount that is equal to not less than
 6 50% of the grant.

7 Children's cabinet
 8 accountability fund (652-00-2000-2402).....\$375,000

9 *Provided*, That any unencumbered balance in the children's cabinet
 10 accountability fund account in excess of \$100 as of June 30, 2019, is
 11 hereby reappropriated for fiscal year 2020.

12 CIF grants (652-00-2000-2408).....\$18,127,914

13 *Provided*, That any unencumbered balance in the CIF grants account in
 14 excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year
 15 2020.

16 Quality initiative infants
 17 and toddlers (652-00-2000-2420).....\$500,000

18 *Provided*, That any unencumbered balance in the quality initiative infants
 19 and toddlers account in excess of \$100 as of June 30, 2019, is hereby
 20 reappropriated for fiscal year 2020.

21 Early childhood block grant
 22 autism diagnosis (652-00-2000-2422).....\$50,000

23 *Provided*, That any unencumbered balance in the early childhood block
 24 grant autism diagnosis account in excess of \$100 as of June 30, 2019, is
 25 hereby reappropriated for fiscal year 2020.

26 Communities aligned in early development
 27 and education (652-00-2000-2550).....\$1,000,000

28 Pre-K pilot (652-00-2000-2535).....\$4,200,000

29 (d) On July 1, 2019, or as soon thereafter as moneys are available,
 30 notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and
 31 amendments thereto, or any other statute, the director of accounts and
 32 reports shall transfer \$50,000 from the family and children trust account of
 33 the family and children investment fund (652-00-7375-7900) of the
 34 department of education to the communities in schools program fund (652-
 35 00-2221-2400) of the department of education.

36 (e) On March 30, 2020, and June 30, 2020, or as soon thereafter as
 37 moneys are available, notwithstanding the provisions of K.S.A. 8-267 or
 38 8-272, and amendments thereto, or any other statute, the director of
 39 accounts and reports shall transfer \$550,000 from the state safety fund
 40 (652-00-2538-2030) to the state general fund: *Provided*, That the transfer
 41 of such amount shall be in addition to any other transfer from the state
 42 safety fund to the state general fund as prescribed by law: *Provided*
 43 *further*, That the amount transferred from the state safety fund to the state

1 general fund pursuant to this subsection is to reimburse the state general
 2 fund for accounting, auditing, budgeting, legal, payroll, personnel and
 3 purchasing services and any other governmental services that are
 4 performed on behalf of the department of education by other state agencies
 5 that receive appropriations from the state general fund to provide such
 6 services.

7 (f) On July 1, 2019, and quarterly thereafter, the director of accounts
 8 and reports shall transfer \$72,500 from the state highway fund of the
 9 department of transportation to the school bus safety fund (652-00-2532-
 10 2300) of the department of education.

11 (g) On July 1, 2019, the director of accounts and reports shall transfer
 12 an amount certified by the commissioner of education from the motorcycle
 13 safety fund (652-00-2633-2050) of the department of education to the
 14 motorcycle safety fund (561-00-2366-2360) of the state board of regents:
 15 *Provided*, That the amount to be transferred shall be determined by the
 16 commissioner of education based on the amounts required to be paid
 17 pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

18 (h) There is appropriated for the above agency from the expanded
 19 lottery act revenues fund for the fiscal year ending June 30, 2020, the
 20 following:

21 KPERS – school employer
 22 contribution (652-00-1700-1700).....\$41,632,883

23 (i) On July 1, 2019, or as soon thereafter as moneys are available, the
 24 director of accounts and reports shall transfer \$97,250 from the USAC E-
 25 rate program federal fund (561-00-3920-3920) of the state board of regents
 26 to the education technology coordinator fund (652-00-2157-2157) of the
 27 department of education: *Provided*, That the department of education shall
 28 provide information and data regarding the number of school districts
 29 served and cost savings attained by such school districts in order to assess
 30 the cost effectiveness of having this education technology coordinator
 31 position: *Provided further*, That such information and data shall be
 32 available by the department of education by the end of the fiscal year
 33 2020.

34 (j) There is appropriated for the above agency from the Kansas
 35 endowment for youth fund for the fiscal year ending June 30, 2020, the
 36 following:

37 Children's cabinet administration (652-00-7000-7001).....\$256,234
 38 *Provided*, That any unencumbered balance in the children's cabinet
 39 administration account in excess of \$100 as of June 30, 2019, is hereby
 40 reappropriated for fiscal year 2020.

41 (k) During the fiscal year ending June 30, 2020, the commissioner of
 42 education, with the approval of the director of the budget, may transfer any
 43 part of any item of appropriation for fiscal year 2020 from the state general

1 fund for the department of education to another item of appropriation for
2 fiscal year 2020 from the state general fund for the department of
3 education. The commissioner of education shall certify each such transfer
4 to the director of accounts and reports and shall transmit a copy of each
5 such certification to the director of legislative research.

6 Sec. 3.

7 DEPARTMENT OF EDUCATION

8 (a) There is appropriated for the above agency from the state general
9 fund for the fiscal year ending June 30, 2021, the following:

10 State foundation aid (652-00-1000-0820).....\$2,305,700,929

11 *Provided*, That any unencumbered balance in the state foundation aid
12 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for
13 fiscal year 2021.

14 Supplemental state aid (652-00-1000-0840).....\$519,300,000

15 *Provided*, That any unencumbered balance in the supplemental state aid
16 account in excess of \$100 as of June 30, 2020, is hereby reappropriated for
17 fiscal year 2021.

18 KPERS – employer

19 contributions – non-USDs (652-00-1000-0100).....\$43,314,357

20 *Provided*, That any unencumbered balance in the KPERS – employer
21 contributions – non-USDs account in excess of \$100 as of June 30, 2020,
22 is hereby reappropriated for fiscal year 2021: *Provided further*, That all
23 expenditures from the KPERS – employer contributions – non-USDs
24 account shall be for payment of participating employers' contributions to
25 the Kansas public employees retirement system as provided in K.S.A. 74-
26 4939, and amendments thereto: *And provided further*, That expenditures
27 from this account for the payment of participating employers' contributions
28 to the Kansas public employees retirement system may be made regardless
29 of when the liability was incurred.

30 KPERS – employer

31 contributions – USDs (652-00-1000-0110).....\$545,828,524

32 *Provided*, That any unencumbered balance in the KPERS – employer
33 contributions – USDs account in excess of \$100 as of June 30, 2020, is
34 hereby reappropriated for fiscal year 2021: *Provided further*, That all
35 expenditures from the KPERS – employer contributions – USDs account
36 shall be for payment of participating employers' contributions to the
37 Kansas public employees retirement system as provided in K.S.A. 74-
38 4939, and amendments thereto: *And provided further*, That expenditures
39 from this account for the payment of participating employers' contributions
40 to the Kansas public employees retirement system may be made regardless
41 of when the liability was incurred.

42 (b) There is appropriated for the above agency from the following
43 special revenue fund or funds for the fiscal year ending June 30, 2021, all

1 moneys now or hereafter lawfully credited to and available in such fund or
 2 funds, except that expenditures shall not exceed the following:

- 3 Mineral production
- 4 education fund (652-00-7669-7669).....No limit
- 5 State school district
- 6 finance fund (652-00-7393-7000).....No limit

7 (c) There is appropriated for the above agency from the expanded
 8 lottery act revenues fund for the fiscal year ending June 30, 2021, the
 9 following:

- 10 KPERS – school employer
- 11 contribution (652-00-1700-1700).....\$41,640,023

12 Sec. 4. On and after July 1, 2019, K.S.A. 72-5142 is hereby amended
 13 to read as follows: 72-5142. (a) The board of education of each school
 14 district shall levy an ad valorem tax upon the taxable tangible property of
 15 the school district in the school years specified in subsection (b) for the
 16 purpose of:

- 17 (1) Financing that portion of the school district's general fund budget
 18 that is not financed from any other source provided by law;
- 19 (2) paying a portion of the costs of operating and maintaining public
 20 schools in partial fulfillment of the constitutional obligation of the
 21 legislature to finance the educational interests of the state; and
- 22 (3) with respect to any redevelopment school district established prior
 23 to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto,
 24 paying a portion of the principal and interest on bonds issued by cities
 25 under authority of K.S.A. 12-1774, and amendments thereto, for the
 26 financing of redevelopment projects upon property located within the
 27 school district.

28 (b) The tax required under subsection (a) shall be levied at a rate of
 29 20 mills in the school years ~~2017-2018~~ 2019-2020 and ~~2018-2019~~ 2020-
 30 2021.

31 (c) The proceeds from the tax levied by a district under authority of
 32 this section, except the proceeds of such tax levied for the purpose
 33 described in subsection (a)(3), shall be remitted to the state treasurer in
 34 accordance with the provisions of K.S.A. 75-4215, and amendments
 35 thereto. Upon receipt of each such remittance, the state treasurer shall
 36 deposit the entire amount in the state treasury to the credit of the state
 37 school district finance fund.

38 (d) No school district shall proceed under K.S.A. 79-1964, 79-1964a
 39 or 79-1964b, and amendments thereto.

40 Sec. 5. On and after July 1, 2019, K.S.A. 72-5462 is hereby amended
 41 to read as follows: 72-5462. (a) There is hereby established in the state
 42 treasury the school district capital improvements fund. The fund shall
 43 consist of all amounts transferred thereto under the provisions of

1 subsection (c).

2 (b) In each school year, each school district which is obligated to
3 make payments from its capital improvements fund shall be entitled to
4 receive payment from the school district capital improvements fund in an
5 amount determined by the state board of education as provided in this
6 subsection.

7 (1) For general obligation bonds approved for issuance at an election
8 held prior to July 1, 2015, the state board of education shall:

9 (A) Determine the amount of the assessed valuation per pupil (AVPP)
10 of each school district in the state for the preceding school year and round
11 such amount to the nearest \$1,000. The rounded amount is the AVPP of a
12 school district for the purposes of this subsection (b)(1);

13 (B) determine the median AVPP of all school districts;

14 (C) prepare a schedule of dollar amounts using the amount of the
15 median AVPP of all school districts as the point of beginning. The
16 schedule of dollar amounts shall range upward in equal \$1,000 intervals
17 from the point of beginning to and including an amount that is equal to the
18 amount of the AVPP of the school district with the highest AVPP of all
19 school districts and shall range downward in equal \$1,000 intervals from
20 the point of beginning to and including an amount that is equal to the
21 amount of the AVPP of the school district with the lowest AVPP of all
22 school districts;

23 (D) determine a state aid percentage factor for each school district by
24 assigning a state aid computation percentage to the amount of the median
25 AVPP shown on the schedule, decreasing the state aid computation
26 percentage assigned to the amount of the median AVPP by one percentage
27 point for each \$1,000 interval above the amount of the median AVPP, and
28 increasing the state aid computation percentage assigned to the amount of
29 the median AVPP by one percentage point for each \$1,000 interval below
30 the amount of the median AVPP. Except as provided by K.S.A. 72-5463,
31 and amendments thereto, the state aid percentage factor of a school district
32 is the percentage assigned to the schedule amount that is equal to the
33 amount of the AVPP of the school district. The state aid percentage factor
34 of a school district shall not exceed 100%. The state aid computation
35 percentage is 25%;

36 (E) determine the amount of payments that a school district is
37 obligated to make from its bond and interest fund attributable to general
38 obligation bonds approved for issuance at an election held prior to July 1,
39 2015; and

40 (F) multiply the amount determined under subsection (b)(1)(E) by the
41 applicable state aid percentage factor.

42 (2) For general obligation bonds approved for issuance at an election
43 held on or after July 1, 2015, the state board of education shall:

1 (A) Determine the amount of the AVPP of each school district in the
2 state for the preceding school year and round such amount to the nearest
3 \$1,000. The rounded amount is the AVPP of a school district for the
4 purposes of this subsection (b)(2);

5 (B) prepare a schedule of dollar amounts using the amount of the
6 AVPP of the school district with the lowest AVPP of all school districts as
7 the point of beginning. The schedule of dollar amounts shall range upward
8 in equal \$1,000 intervals from the point of beginning to and including an
9 amount that is equal to the amount of the AVPP of the school district with
10 the highest AVPP of all school districts;

11 (C) determine a state aid percentage factor for each school district by
12 assigning a state aid computation percentage to the amount of the lowest
13 AVPP shown on the schedule and decreasing the state aid computation
14 percentage assigned to the amount of the lowest AVPP by one percentage
15 point for each \$1,000 interval above the amount of the lowest AVPP.
16 Except as provided by K.S.A. 72-5463, and amendments thereto, the state
17 aid percentage factor of a school district is the percentage assigned to the
18 schedule amount that is equal to the amount of the AVPP of the school
19 district. The state aid computation percentage is 75%;

20 (D) determine the amount of payments that a school district is
21 obligated to make from its bond and interest fund attributable to general
22 obligation bonds approved for issuance at an election held on or after July
23 1, 2015; and

24 (E) multiply the amount determined under subsection (b)(2)(D) by
25 the applicable state aid percentage factor.

26 (3) For general obligation bonds approved for issuance at an election
27 held on or before June 30, 2016, the sum of the amount determined under
28 subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E)
29 is the amount of payment the school district is entitled to receive from the
30 school district capital improvements fund in the school year.

31 (4) For general obligation bonds approved for issuance at an election
32 held on or after July 1, 2016, the amount determined under subsection (b)
33 (2)(E) is the amount of payment the school district shall receive from the
34 school district capital improvements fund in the school year, except the
35 total amount of payments school districts receive from the school district
36 capital improvements fund in the school year for such bonds shall not
37 exceed the six-year average amount of capital improvement state aid as
38 determined by the state board of education.

39 (A) The state board of education shall determine the six-year average
40 amount of capital improvement state aid by calculating the average of the
41 total amount of moneys expended per year from the school district capital
42 improvements fund in the immediately preceding six fiscal years, not to
43 include the current fiscal year.

1 (B) (i) Subject to clause (ii), the state board of education shall
2 prioritize the allocations to school districts from the school district capital
3 improvements fund in accordance with the priorities set forth as follows in
4 order of highest priority to lowest priority:

5 (a) Safety of the current facility and disability access to such facility
6 as demonstrated by a state fire marshal report, an inspection under the
7 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar
8 evaluation;

9 (b) enrollment growth and imminent overcrowding as demonstrated
10 by successive increases in enrollment of the school district in the
11 immediately preceding three school years;

12 (c) impact on the delivery of educational services as demonstrated by
13 restrictive inflexible design or limitations on installation of technology;
14 and

15 (d) energy usage and other operational inefficiencies as demonstrated
16 by a district-wide energy usage analysis, district-wide architectural
17 analysis or other similar evaluation.

18 (ii) In allocating capital improvement state aid, the state board shall
19 give higher priority to those school districts with a lower AVPP compared
20 to the other school districts that are to receive capital improvement state
21 aid under this section.

22 (C) On and after July 1, 2016, the state board of education shall
23 approve the amount of state aid payments a school district shall receive
24 from the school district capital improvements fund pursuant to subsection
25 (b)(5) prior to an election to approve the issuance of general obligation
26 bonds.

27 (5) Except as provided in subsections (b)(6) and (b)(7), the sum of the
28 amounts determined under subsection (b)(3) and the amount determined or
29 allocated to the district by the state board of education pursuant to
30 subsection (b)(4), is the amount of payment the school district is entitled to
31 receive from the school district capital improvements fund in the school
32 year.

33 (6) A school district that had an enrollment of less than 260 students
34 in the school year immediately preceding the school year in which an
35 election is held to approve the issuance of general obligation bonds shall
36 not be entitled to receive payments from the school district capital
37 improvements fund unless such school district applied for and received
38 approval from the state board of education to issue such bonds prior to
39 holding an election to approve such bond issuance. The provisions of this
40 paragraph shall apply to general obligation bonds approved for issuance at
41 an election held on or after July 1, 2017, that are issued for the purpose of
42 financing the construction of new school facilities.

43 (7) For general obligation bonds approved for issuance at an election

1 held on or after July 1, 2017, in determining the amount under subsection
2 (b)(2)(D), the state board shall exclude payments for any capital
3 improvement project, or portion thereof, that proposes to construct,
4 reconstruct or remodel a facility that would be used primarily for
5 extracurricular activities, unless the construction, reconstruction or
6 remodeling of such facility is necessary due to concerns relating to the
7 safety of the current facility or disability access to such facility as
8 demonstrated by a state fire marshal report, an inspection under the
9 Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar
10 evaluation.

11 (c) The state board of education shall certify to the director of
12 accounts and reports the entitlements of school districts determined under
13 the provisions of subsection (b), and an amount equal thereto shall be
14 transferred by the director from the state general fund to the school district
15 capital improvements fund for distribution to school districts. All transfers
16 made in accordance with the provisions of this subsection shall be
17 considered to be demand transfers from the state general fund, except that
18 all such transfers during the fiscal years ending June 30, ~~2017~~ 2020, June
19 30, ~~2018~~ 2021, and June 30, ~~2019~~ 2022, shall be considered to be revenue
20 transfers from the state general fund.

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

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

37 (f) On or before the first day of the legislative session in 2017, and
38 each year thereafter, the state board of education shall prepare and submit
39 a report to the legislature that includes information on school district
40 elections held on or after July 1, 2016, to approve the issuance of general
41 obligation bonds and the amount of payments school districts were
42 approved to receive from the school district capital improvements fund
43 pursuant to subsection (b)(4)(C).

1 Sec. 6. On and after July 1, 2019, K.S.A. 2018 Supp. 79-201x is
2 hereby amended to read as follows: 79-201x. For taxable years ~~2017~~ 2019
3 and ~~2018~~ 2020, the following described property, to the extent herein
4 specified, shall be and is hereby exempt from the property tax levied
5 pursuant to the provisions of K.S.A. 72-5142, and amendments thereto:
6 Property used for residential purposes to the extent of \$20,000 of its
7 appraised valuation.

8 Sec. 7. On and after July 1, 2019, K.S.A. 72-5142 and 72-5462 and
9 K.S.A. 2018 Supp. 79-201x are hereby repealed.

10 Sec. 8. This act shall take effect and be in force from and after its
11 publication in the Kansas register.