

CHAPTER 6**(SB 5)**

AN ACT relating to the funding of school construction, making an appropriation therefor, and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. The provisions of 2010 First Extraordinary Session HB 1/EN are amended to read as follows:

In Part I, C., 4., (18), delete paragraph (a) and replace with the following:

"(a) Included in the above General Fund appropriation is \$5,958,300 in fiscal year 2011-2012 to provide equalization funding for school districts that: 1. Have school facilities classified as Category 5 on May 18, 2010, by the Department of Education; and 2. Levy an additional five cents equivalent tax rate for debt service, new construction, and major renovation beyond the five cents equivalent tax rate required by KRS 157.440(1)(b), except as provided in paragraph (c) of this subsection. Equalization shall be provided at 150 percent of the statewide average per pupil assessment beginning in the fiscal year following the fiscal year in which the levy is imposed. The provisions of KRS 132.017 relating to recall may or may not apply. The local board of education shall have the option of levying this additional five cents equivalent tax rate without being subject to the recall provisions of KRS 132.017 or the local board of education may request the county board of elections to submit to the qualified voters of the district the question whether the rate shall be levied."

➔Section 2. Whereas Section 1 of this Act amends 2010 First Extraordinary Session HB 1/EN, which takes effect upon its passage and approval by the Governor or upon otherwise becoming law, an emergency is declared to exist, and Section 1 of this Act takes effect upon its passage and approval by the Governor or upon otherwise becoming law.

Signed by Governor June 4, 2010.