

# Journal of the Senate

FIFTY-NINTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Thursday, April 6, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.  
The roll was called with 40 senators present.  
Invocation by Reverend Cecil T. Washington:

Needing The Heart of God From The Heart Doctor  
Leviticus 17:9, Ezekiel 36:26

Heavenly Father, You have called us to the service of bringing Your purposes to pass. The laws that come together here are to be a reflection of Your heart. But we do need Your help because Your Word says in Leviticus 17:9 that the human heart is the most deceitful of all things and desperately wicked.

The problem then for us is to bring our deceitful corrupt hearts...that don't think they're all that bad in line with Your perfect purposes. Lord, we need You to do for us what You did for Your people in Ezekiel 36:26. You said "I will give you a new heart and a new mind. I will take away your stubborn heart of stone and give you an obedient heart." Lord, that's what we need. But, for our hearts to reflect Your heart, we'll need You to be...and continue to be our Heart Doctor; for today and all the activities of today and then for the rest of our days. Thanks, Lord for hearing our prayers. In Jesus' Name I pray. Amen

The Pledge of Allegiance was led by President Masterson.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**SB 325**, AN ACT concerning economic development; enacting the transformation of passenger and freight vehicle industry act; relating to tax and other incentives for projects in specified industries or for a national corporate headquarters with specified job requirements of at least 250 new employees and specified capital investment requirements; providing for a refundable income, privilege and premium tax credit for a portion of any specified capital investment requirement; retention of certain payroll withholding taxes; sales tax exemption for project construction; establishing the transformation of passenger and freight vehicle industry act new employee training and education fund; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Ways and Means.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was referred to Committee as indicated:

Ways and Means: **SB 324**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2058** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Amended by Senate on Final Action, as follows:

On page 1, by striking all in lines 11 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 25; by striking all in lines 37 through 43;

By striking all on page 6;

On page 7, by striking all in lines 1 and 2; in line 3, by striking "21-6109, 21-6110,"; also in line 3, by striking all after "46-2305"; in line 4, by striking all before "hereby" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; in line 2, by striking all before "relating"; in line 5, by striking all after the semicolon; by striking all in line 6; in line 7, by striking all before "amending"; also in line 7, by striking all after "Supp."; in line 8, by striking "and 74-8823"; also in line 8, by striking "sections" and inserting "section";

And your committee on conference recommends the adoption of this report.

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

*Conferees on part of Senate*

WILL CARPENTER

TOM KESSLER

JO ELLA HOYE

*Conferees on part of House*

Senator Thompson moved the Senate adopt the Conference Committee Report on **S Sub HB 2058**.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, Olson, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Thompson, Ware.

Nays: Baumgardner, Blasi, Doll, Kerschen, McGinn, O'Shea, Peck, Petersen, Shallenburger, Steffen, Straub, Tyson, Wilborn.

Present and Passing: Warren.

The Conference Committee Report was adopted.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2170** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2170, as follows:

On page 1, in line 20, after "code" by inserting "and maintains its principal office in Kansas"; in line 31, by striking "or institutional solicitation"; in line 32, by striking "an" and inserting "a written";

On page 2, in line 4, by striking "or institutional solicitation"; in line 9, by striking all after "(f)"; by striking all in lines 10 through 14; in line 15, by striking "(g)"; in line 17, after "any" by inserting "living, named"; in line 18, by striking all after "agreement"; in line 19, by striking all before the first "to"; in line 20, after "such" by inserting "endowment"; in line 22, after "such" by inserting "endowment";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 2, in line 27, after the comma by inserting "including, but not limited to, K.S.A. 58-3616, and amendments thereto"; in line 28, after the second "to" by inserting "an endowment agreement that imposes"; in line 31, by striking "or institutional solicitation"; in line 33, after "agreement" by inserting "but not more than 40 years after the date of the endowment agreement that established the endowment fund"; in line 34, after "county" by inserting "of this state"; in line 40, after "seek" by inserting ", or result in,";

On page 3, in line 19, by striking all after "donor"; by striking all in lines 20 and 21; in line 22, by striking all before the period and inserting ", but only if the transfer would not jeopardize or be inconsistent with the tax-exempt status of the original charitable organization. Nothing in this section shall conflict with or affect section (b), and amendments thereto"; in line 29, after "validity" by inserting "as provided in K.S.A. 58-3616, and amendments thereto"; in line 36, after the period, by inserting "Nothing in this act affects the authority of the attorney general to enforce any restriction in an endowment agreement, limits the application of the judicial power of cy pres or alters the right of an institution to modify a restriction on the management, investment, purpose or use of an endowment fund in a manner permitted by the endowment agreement.";

And your committee on conference recommends the adoption of this report.

MIKE THOMPSON  
RICK KLOOS  
OLETHA FAUST GOUDEAU  
*Conferees on part of Senate*

WILL CARPENTER  
TOM KESSLER  
JO ELLA HOYE  
*Conferees on part of House*

Senator Thompson moved the Senate adopt the Conference Committee Report on **S Sub HB 2170**.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Doll, Holland, Tyson.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2196** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"New Section 1. (a) (1) On July 1, 2023, the Kansas department of wildlife and parks shall be an eligible employer as defined in K.S.A. 74-4952, and amendments thereto, and shall affiliate with the Kansas police and firemen's retirement system established under the provisions of K.S.A. 74-4951 et seq., and amendments thereto, pursuant to the provisions of this section for membership in the system of officers and employees employed by the Kansas department of wildlife and parks who have successfully completed the required course of instruction for law enforcement officers approved by the Kansas law enforcement training center and are certified as a full-time police officer or law enforcement officer pursuant to the provisions of K.S.A. 74-5607a, and amendments thereto, and who are employed in the parks, public lands or law enforcement division. For purposes of such affiliation for membership in the system of such members, the Kansas department of wildlife and parks shall be considered a new participating employer. The Kansas department of wildlife and parks shall make application for affiliation with such system in the manner provided by K.S.A. 74-4954, and amendments thereto, to be effective on the July 1 next following application. The Kansas department of wildlife and parks shall affiliate for membership in the system of such officers and employees for participating service credit.

(2) The Kansas department of wildlife and parks shall appropriate and pay a sum sufficient to satisfy any obligations as certified by the board of trustees of the retirement system based on an actuarial valuation of the cost of such affiliation, and the employer contributions of the Kansas department of wildlife and parks shall be as provided in K.S.A. 74-4967(1), and amendments thereto.

(b) Each such officer and employee who is employed by the Kansas department of wildlife and parks on or after the entry date of the Kansas department of wildlife and parks into the Kansas police and firemen's retirement system as provided in this section shall become a member of the Kansas police and firemen's retirement system on the first day of such employment and shall be subject to the provisions of K.S.A. 74-4951 et seq., and amendments thereto, as applicable.

(c) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personnel services the amount required to satisfy the employer's obligation under this section as certified by the board of trustees of the system, and shall present the same to the legislature for allowance and appropriation.

(d) The determination of retirement, death or disability benefits shall be computed upon the basis of credited services, as used in K.S.A. 74-4951 et seq., and amendments thereto, but shall include only participating service with the Kansas department of wildlife and parks, commencing on and after the effective date of affiliation by the Kansas department of wildlife and parks with the Kansas police and firemen's retirement system.

(e) In the case of a member who retires on or after July 1, 2023, whose date of membership in the system is prior to July 1, 1993, and any member who was in such member's membership waiting period on July 1, 1993, and whose date of membership in the system is on or after July 1, 1993, shall have such member's employer certify to the Kansas public employees retirement system the number of hours of such member's sick and annual leaves at the time of such member's transfer to the Kansas police and firemen's retirement system. Upon the date of such member's retirement from the Kansas public employees retirement system, such member may use in the calculation of the member's retirement benefit, the average highest annual compensation, as defined in K.S.A. 74-4902(9), and amendments thereto, which shall include but not exceed compensation for the number of sick and annual leave hours certified to the Kansas public employees retirement system on the date of the member's transfer, paid to such member for any four years of participating service preceding the transfer to the Kansas police and firemen's retirement system, or the average highest annual salary, as defined in K.S.A. 74-4902(33), and amendments thereto, paid to such member for any three years of participating service preceding retirement or termination of employment, whichever is greater.

(f) Any rights or benefits accruing to any such officer or employee employed by the Kansas department of wildlife and parks prior to the effective date of affiliation shall be determined pursuant to the provisions of K.S.A. 74-4901 et seq., and amendments thereto. Any officer and employee who becomes a member pursuant to this section, who has a vested retirement benefit pursuant to K.S.A. 74-4917, and amendments thereto, and who terminates employment prior to attaining a vested benefit pursuant to K.S.A. 74-4963, and amendments thereto, may have such service credited for purposes of computing retirement benefits pursuant to K.S.A. 74-4901 et seq., and amendments thereto.

(g) Beginning with the first payment of compensation for services of such officer or employee after becoming a member of the Kansas police and firemen's retirement system, the employer shall deduct from the compensation of such member 7.15% as the employee contribution to the system. Such deductions shall be remitted, deposited and credited as provided in K.S.A. 74-4965, and amendments thereto.

(h) (1) Except as provided in paragraph (2), the actuarial legacy cost of \$2,733,769 for the remaining unfunded liabilities in the Kansas public employees retirement system shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional annual payment by the Kansas department of wildlife and parks.

(2) Subject to appropriations, the Kansas department of wildlife and parks may make a payment in full or payments in two installments for such actuarial legacy cost prior to the expiration of the 20-year amortization period.";

On page 2, following line 16, by inserting:

"Sec. 4. K.S.A. 2022 Supp. 74-4986r is hereby amended to read as follows: 74-4986r. The provisions of K.S.A. 74-4986k through 74-4986r, and amendments thereto, shall expire on January 1, ~~2025~~ 2031.";

Also on page 2, in line 17, by striking "and" and inserting a comma; also in line 17, after "74-4986p" by inserting "and 74-4986r";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all before the semicolon and inserting "police and firemen's retirement system; providing for membership affiliation for certain law enforcement officers and employees of the Kansas department of wildlife and parks; establishing employee and employer contributions; amortizing certain actuarial legacy costs for such affiliation, exception"; also in line 2, by striking "such" and inserting "Kansas deferred retirement option"; in line 4, after the semicolon by inserting "extending the expiration date of such program,"; also in line 4, by striking "and" and inserting a comma; in line 5, after "4986p" by inserting "and 74-4986r";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

*Conferees on part of Senate*

NICK HOHEISEL

WILLIAM CLIFFORD

RUI XU

*Conferees on part of House*

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2196**.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 2; Absent or Not Voting 0.

Yeas: Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Billinger, Fagg, O'Shea, Peck, Ryckman, Shallenburger.

Present and Passing: Alley, Tyson.

The Conference Committee Report was adopted.

#### **CHANGE OF CONFERENCE**

Senators Billinger, Claeys and Pettey are appointed to replace Senators Petersen, Kloos and Corson as members of the conference committee on **HB 2019**.

On motion of Senator Alley, the Senate recessed until 11:30 a.m.

The Senate met pursuant to recess with President Masterson in the chair.

#### MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 189**.

The House concurs in Senate amendments to **HB 2042**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2027**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2172**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2173**, and requests return of the bill.

The House adopts the Conference Committee report on **HB 2015**.

The House adopts the Conference Committee report on **HB 2065**.

The House adopts the Conference Committee report on **HB 2090**.

The House adopts the Conference Committee report on **HB 2093**.

The House adopts the Conference Committee report on **HB 2130**.

The House adopts the Conference Committee report on **HB 2131**.

The House adopts the Conference Committee report on **HB 2216**.

The House adopts the Conference Committee report to agree to disagree on **HB 2094**, and has appointed Representatives Awerkamp, Howell and Meyer as second conferees on the part of the House.

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson to replace Representatives Francis, Neely and Ballard as conferees on **HB 2019**.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2138** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

ADAM THOMAS

SUSAN ESTES

*Conferees on part of House*

On motion of Senator Alley the Senate adopted the conference committee report on **S Sub HB 2138**, and requested a new conference be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **S Sub HB 2138**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2010** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

KELLIE WARREN  
RICK WILBORN  
ETHAN CORSON  
*Conferees on part of Senate*

FRED PATTON  
MARK SCHREIBER  
JOHN CARMICHAEL  
*Conferees on part of House*

On motion of Senator Warren the Senate adopted the conference committee report on **S Sub HB 2010**, and requested a new conference be appointed.

The President appointed Senators Warren, Wilborn and Corson as a second Conference Committee on the part of the Senate on **S Sub HB 2010**.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 189** submits the following report:

The House recedes from all of its amendments to the bill.

And your committee on conference recommends the adoption of this report.

FRED PATTON  
MARK SCHREIBER  
JOHN CARMICHAEL  
*Conferees on part of House*

KELLIE WARREN  
RICK WILBORN  
ETHAN CORSON  
*Conferees on part of Senate*

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 189**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2100** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 29; following line 29, by inserting:

"New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas public investments and contracts protection act.

(b) As used in this act:

(1) "Act" means the Kansas public investments and contracts protection act.

(2) "Board" means the board of trustees of the Kansas public employees retirement system.

(3) "Company" means any organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity of business association, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of such entities or business associations that exists for the purpose of making a profit. "Company" does not mean a sole proprietorship.

(4) "Environmental, social and governance criteria" means any criterion that gives preferential treatment or discriminates based on whether a company meets or fails to meet one or more of the following criteria:

(A) Engaging in the exploration, production, utilization, transportation, sale or manufacturing of:

(i) Fossil fuel-based energy;

(ii) nuclear energy; or

(iii) any other natural resource;

(B) engaging in the production of agriculture;

(C) engaging in the production of lumber;

(D) engaging in mining;

(E) emitting greenhouse gases or not disclosing or offsetting such greenhouse gas emissions;

(F) engaging in the manufacturing, distribution or sale of firearms, firearms accessories, ammunition or ammunition components;

(G) having a governing corporate board or other officers whose race, ethnicity, sex or sexual orientation meets or does not meet any criteria;

(H) facilitating or assisting or not facilitating or assisting employees in obtaining abortions or gender reassignment services; and

(I) doing business with any company described by subparagraphs (A) through (H).

(5) "Fiduciary" means any person acting on behalf of the board or system as an investment manager, proxy advisor or contractor, including the system's board of trustees.

(6) "Fiduciary commitment" means any evidence of a fiduciary's purpose in

managing assets as a fiduciary, including, but not limited to, any of the following in a fiduciary's capacity as a fiduciary, specifically on assets managed on behalf of the system:

(A) Advertisements, statements, explanations, reports, communications with portfolio companies, statements of principles or commitments; or

(B) participation in, affiliation with or status as a signatory to any coalition, initiative, joint statement of principles or agreement.

(7) (A) "Financial" means having been prudently determined by a fiduciary to have a material effect on the financial risk or the financial return of an investment.

(B) "Financial" does not include any action taken or factor considered by a fiduciary with any purpose whatsoever to further social, political or ideological interests.

(C) A fiduciary may reasonably be determined to have taken an action or considered a factor with a purpose to further social, political or ideological interests based upon evidence indicating such a purpose, including, but not limited to, any fiduciary commitment to further, through portfolio company engagement, board or shareholder votes or otherwise as a fiduciary, any of the following beyond what controlling federal or state law requires, specifically on assets managed on behalf of the system:

(i) Eliminating, reducing, offsetting or disclosing greenhouse gas emissions;

(ii) instituting or assessing corporate board, employment, composition, compensation or disclosure criteria that incorporates characteristics protected under state law;

(iii) divesting from, limiting investment in or limiting the activities or investments of any company for failing or not committing to meet environmental standards or disclosures;

(iv) accessing abortion, sex or gender change or transgender surgery; or

(v) divesting from, limiting investment in or limiting the activities or investments of any company that engages in, facilitates or supports the manufacture, import, distribution, marketing, advertising, sale or lawful use of firearms, ammunition or component parts and accessories of firearms or ammunition.

(8) "Fossil fuels" means coal, natural gas, petroleum or oil formed by natural processes through decomposition of dead organisms.

(9) "Natural resources" means fossil fuels, minerals, metal ores or any other nonrenewable or finite resource that cannot be readily replaced by natural means at the speed at which it is consumed.

(10) "System" means the Kansas public employees retirement system. "System" does not include participant-directed individual account plans.

New Sec. 2. (a) The state, any agency of the state, any political subdivision of the state, or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, when engaged in procuring or letting contracts for any purpose, shall ensure that bidders, offerors, contractors or subcontractors are not given preferential treatment or discriminated against based on any environmental, social and governance criteria.

(b) The state, any agency of the state, any political subdivision of the state or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, shall not adopt any procurement regulation

or policy that causes any bidder, offeror, contractor or subcontractor to be given preferential treatment or be subject to discrimination based on any environmental, social and governance criteria, except as otherwise specifically permitted or required by law.

New Sec. 3. (a) In making and supervising investments of the system, the system and any investment manager, proxy advisor or contractor thereof shall discharge its duties solely in the financial interest of the participants and beneficiaries for the exclusive purposes of:

- (1) Providing financial benefits to participants and their beneficiaries; and
- (2) defraying reasonable expenses of administering the system.

(b) An investment manager, proxy advisor or contractor retained by the system shall be subject to the same fiduciary duties as the system's board of trustees.

(c) A fiduciary shall consider only financial factors when discharging such fiduciary's duties with respect to the system.

(d) All shares held directly or indirectly by or on behalf of the system or the participants and their beneficiaries shall be voted solely in the financial interest of system participants and their beneficiaries.

(e) Unless no economically practicable alternative is available, the system shall not grant proxy voting authority to any person who is not a part of the system, unless such person has a practice of, and in writing commits to, following guidelines that match the system's obligation to act solely upon financial factors, in which case the system may grant proxy voting authority to such person.

(f) Unless no economically practicable alternative is available, in the selection of any proxy advisor, the system shall give preference to a proxy advisor service that commits in writing to engage in voting shares and making recommendations in a strictly fiduciary manner, and without consideration of policy objectives that are not the express policy objectives of the system, in which case the system may engage a proxy voting advisor.

(g) Unless no economically practicable alternative is available, system assets shall not be entrusted to a fiduciary, unless such fiduciary has a practice of, and in writing commits to, following guidelines, when engaging with portfolio companies and voting shares or proxies, that follow the system's obligation to act solely upon financial factors and not upon policy considerations that are not the express policy objectives of the system, in which case the system may entrust engagement and share voting to a fiduciary.

(h) Unless no economically practicable alternative is available, an investment manager or contractor shall not, in providing service for the system, follow the recommendations of a proxy advisor or other service provider, unless such advisor or service provider has a practice of, and in writing commits to, following proxy voting guidelines that follow the system's obligation to act solely upon financial factors, in which case the investment manager or contractor may follow the recommendations of a proxy or other service advisor.

(i) All proxy votes shall be tabulated and reported annually to the system's board of trustees and to the joint committee on pensions, investments and benefits. For each vote, the report shall contain a vote caption, the system's vote, the recommendation of company management and, if applicable, the proxy advisor's recommendation. Such reports shall be posted on the system's website for review by the public.

(j) Subsections (e) through (i) shall apply only to assets managed on behalf of the system and shall not apply to alternative or real estate investments as defined in K.S.A. 74-4921(5), and amendments thereto.

New Sec. 4. (a) As used in this section, "state agency" means an office, board, commission, department, council, bureau, governmental entity or other agency of state government having authority to adopt or enforce rules and regulations.

(b) No state agency shall share or publish information, adopt policies, adopt rules and regulations or issue guidelines for purposes of environmental, social and governance criteria that restrict the ability of any industry to offer products or services. No state agency shall require any person or business to adopt or operate in accordance with environmental, social and governance criteria.

New Sec. 5. (a) This act or any contract subject to this act may be enforced by the attorney general.

(b) If the attorney general has reasonable cause to believe that a person has engaged in, is engaging in or is about to engage in a violation of this act, the attorney general may require:

(1) Such person to file on such forms as the attorney general may prescribe a statement or report in writing, under oath, as to all the facts and circumstances concerning the violation; and

(2) the filing of such other data and information as the attorney general may deem necessary.

(c) In addition to any other remedies available at law or equity, an investment manager or contractor of the system that serves as a fiduciary and violates the provisions of section 3, and amendments thereto, shall be obligated to pay damages to the state in an amount equal to three times all moneys paid to the investment manager or contractor by the system for the services of such investment manager or contractor.

New Sec. 6. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act, without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless for actual damages, court costs and attorney fees adjudged against, and defend the system and any of its current and former employees, members of the board or any other officers of the system related to the act or omission on which the damages are based.

Sec. 7. K.S.A. 2022 Supp. 74-4921 is hereby amended to read as follows: 74-4921.

(1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund. Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan

associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

- (a) A letter, memorandum, telegram, computer printout or similar writing; or
- (b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if ~~the sole or primary~~ any investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection ~~(6)(e)~~ (6);

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) the total of alternative investments does not exceed 15% of the total investment assets of the fund. The 15% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds 15% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than 15% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds 15% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the standards contained in this section;

(c) for purposes of this ~~act~~ section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure,

commodities and other investments ~~which that~~ have the characteristics described in this paragraph; and

~~(e)~~(d) except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6)(a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

~~(a)~~(i) Specific asset allocation standards and objectives;

~~(b)~~(ii) establishment of criteria for evaluating the risk versus the potential return on a particular investment;

~~(c)~~(iii) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;

~~(d)~~(iv) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

~~(e)~~(v) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board shall require a person contracted with to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with

such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in ~~clause (a) of this subsection~~ ~~(9)~~ shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the fund.

~~(12)-(a)~~ Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.

~~(b) The board shall prepare and submit an alternative investment report to the joint~~

~~committee on pensions, investments and benefits prior to January 1, 2016. Such report shall include a review of alternative investments of the system with an emphasis on the effects of changes in law pursuant to this act and includes specific investment cost and market value information of each individual alternative investment.~~

Sec. 8. K.S.A. 2022 Supp. 74-4921 is hereby repealed.";

Also on page 2, in line 31, by striking "Kansas register" and inserting "statute book";  
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

MIKE THOMPSON

RICK KLOOS

*Conferees on part of Senate*

NICK HOHEISEL

WILLIAM CLIFFORD

*Conferees on part of House*

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2100**.

Senator Straub offered a substitute motion to not adopt the Conference Committee Report on **HB 2100** and appoint a new conference. Division was requested and the motion failed.

The motion of Senator Thompson to adopt the conference committee report on **HB 2100** failed.

On roll call, the vote was: Yeas 18; Nays 20; Present and Passing 2; Absent or Not Voting 0.

Yeas: Billinger, Bowers, Claeys, Dietrich, Doll, Gossage, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Ryckman, Shallenburger, Steffen, Thompson, Warren, Wilborn.

Nays: Alley, Baumgardner, Blasi, Corson, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Peck, Pettey, Pittman, Pyle, Reddi, Sykes, Tyson, Ware.

Present and Passing: Kloos, Straub.

The Conference Committee Report was not adopted

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

#### AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

#### ORIGINAL MOTIONS

Having voted on the prevailing side, Senator Alley moved to reconsider previous action on **HB 2100**. Motion carried by voice vote.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2100** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 29; following line 29, by inserting:

"New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas public investments and contracts protection act.

(b) As used in this act:

(1) "Act" means the Kansas public investments and contracts protection act.

(2) "Board" means the board of trustees of the Kansas public employees retirement system.

(3) "Company" means any organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity of business association, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of such entities or business associations that exists for the purpose of making a profit. "Company" does not mean a sole proprietorship.

(4) "Environmental, social and governance criteria" means any criterion that gives preferential treatment or discriminates based on whether a company meets or fails to meet one or more of the following criteria:

(A) Engaging in the exploration, production, utilization, transportation, sale or manufacturing of:

(i) Fossil fuel-based energy;

(ii) nuclear energy; or

(iii) any other natural resource;

(B) engaging in the production of agriculture;

(C) engaging in the production of lumber;

(D) engaging in mining;

(E) emitting greenhouse gases or not disclosing or offsetting such greenhouse gas emissions;

(F) engaging in the manufacturing, distribution or sale of firearms, firearms accessories, ammunition or ammunition components;

(G) having a governing corporate board or other officers whose race, ethnicity, sex

or sexual orientation meets or does not meet any criteria;

(H) facilitating or assisting or not facilitating or assisting employees in obtaining abortions or gender reassignment services; and

(I) doing business with any company described by subparagraphs (A) through (H).

(5) "Fiduciary" means any person acting on behalf of the board or system as an investment manager, proxy advisor or contractor, including the system's board of trustees.

(6) "Fiduciary commitment" means any evidence of a fiduciary's purpose in managing assets as a fiduciary, including, but not limited to, any of the following in a fiduciary's capacity as a fiduciary, specifically on assets managed on behalf of the system:

(A) Advertisements, statements, explanations, reports, communications with portfolio companies, statements of principles or commitments; or

(B) participation in, affiliation with or status as a signatory to any coalition, initiative, joint statement of principles or agreement.

(7) (A) "Financial" means having been prudently determined by a fiduciary to have a material effect on the financial risk or the financial return of an investment.

(B) "Financial" does not include any action taken or factor considered by a fiduciary with any purpose whatsoever to further social, political or ideological interests.

(C) A fiduciary may reasonably be determined to have taken an action or considered a factor with a purpose to further social, political or ideological interests based upon evidence indicating such a purpose, including, but not limited to, any fiduciary commitment to further, through portfolio company engagement, board or shareholder votes or otherwise as a fiduciary, any of the following beyond what controlling federal or state law requires, specifically on assets managed on behalf of the system:

(i) Eliminating, reducing, offsetting or disclosing greenhouse gas emissions;

(ii) instituting or assessing corporate board, employment, composition, compensation or disclosure criteria that incorporates characteristics protected under state law;

(iii) divesting from, limiting investment in or limiting the activities or investments of any company for failing or not committing to meet environmental standards or disclosures;

(iv) accessing abortion, sex or gender change or transgender surgery; or

(v) divesting from, limiting investment in or limiting the activities or investments of any company that engages in, facilitates or supports the manufacture, import, distribution, marketing, advertising, sale or lawful use of firearms, ammunition or component parts and accessories of firearms or ammunition.

(8) "Fossil fuels" means coal, natural gas, petroleum or oil formed by natural processes through decomposition of dead organisms.

(9) "Natural resources" means fossil fuels, minerals, metal ores or any other nonrenewable or finite resource that cannot be readily replaced by natural means at the speed at which it is consumed.

(10) "System" means the Kansas public employees retirement system. "System" does not include participant-directed individual account plans.

New Sec. 2. (a) The state, any agency of the state, any political subdivision of the

state, or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, when engaged in procuring or letting contracts for any purpose, shall ensure that bidders, offerors, contractors or subcontractors are not given preferential treatment or discriminated against based on any environmental, social and governance criteria.

(b) The state, any agency of the state, any political subdivision of the state or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, shall not adopt any procurement regulation or policy that causes any bidder, offeror, contractor or subcontractor to be given preferential treatment or be subject to discrimination based on any environmental, social and governance criteria, except as otherwise specifically permitted or required by law.

New Sec. 3. (a) In making and supervising investments of the system, the system and any investment manager, proxy advisor or contractor thereof shall discharge its duties solely in the financial interest of the participants and beneficiaries for the exclusive purposes of:

- (1) Providing financial benefits to participants and their beneficiaries; and
- (2) defraying reasonable expenses of administering the system.

(b) An investment manager, proxy advisor or contractor retained by the system shall be subject to the same fiduciary duties as the system's board of trustees.

(c) A fiduciary shall consider only financial factors when discharging such fiduciary's duties with respect to the system.

(d) All shares held directly or indirectly by or on behalf of the system or the participants and their beneficiaries shall be voted solely in the financial interest of system participants and their beneficiaries.

(e) Unless no economically practicable alternative is available, the system shall not grant proxy voting authority to any person who is not a part of the system, unless such person has a practice of, and in writing commits to, following guidelines that match the system's obligation to act solely upon financial factors, in which case the system may grant proxy voting authority to such person.

(f) Unless no economically practicable alternative is available, in the selection of any proxy advisor, the system shall give preference to a proxy advisor service that commits in writing to engage in voting shares and making recommendations in a strictly fiduciary manner, and without consideration of policy objectives that are not the express policy objectives of the system, in which case the system may engage a proxy voting advisor.

(g) Unless no economically practicable alternative is available, system assets shall not be entrusted to a fiduciary, unless such fiduciary has a practice of, and in writing commits to, following guidelines, when engaging with portfolio companies and voting shares or proxies, that follow the system's obligation to act solely upon financial factors and not upon policy considerations that are not the express policy objectives of the system, in which case the system may entrust engagement and share voting to a fiduciary.

(h) Unless no economically practicable alternative is available, an investment manager or contractor shall not, in providing service for the system, follow the recommendations of a proxy advisor or other service provider, unless such advisor or service provider has a practice of, and in writing commits to, following proxy voting

guidelines that follow the system's obligation to act solely upon financial factors, in which case the investment manager or contractor may follow the recommendations of a proxy or other service advisor.

(i) All proxy votes shall be tabulated and reported annually to the system's board of trustees and to the joint committee on pensions, investments and benefits. For each vote, the report shall contain a vote caption, the system's vote, the recommendation of company management and, if applicable, the proxy advisor's recommendation. Such reports shall be posted on the system's website for review by the public.

(j) Subsections (e) through (i) shall apply only to assets managed on behalf of the system and shall not apply to alternative or real estate investments as defined in K.S.A. 74-4921(5), and amendments thereto.

New Sec. 4. (a) As used in this section, "state agency" means an office, board, commission, department, council, bureau, governmental entity or other agency of state government having authority to adopt or enforce rules and regulations.

(b) No state agency shall share or publish information, adopt policies, adopt rules and regulations or issue guidelines for purposes of environmental, social and governance criteria that restrict the ability of any industry to offer products or services. No state agency shall require any person or business to adopt or operate in accordance with environmental, social and governance criteria.

New Sec. 5. (a) This act or any contract subject to this act may be enforced by the attorney general.

(b) If the attorney general has reasonable cause to believe that a person has engaged in, is engaging in or is about to engage in a violation of this act, the attorney general may require:

(1) Such person to file on such forms as the attorney general may prescribe a statement or report in writing, under oath, as to all the facts and circumstances concerning the violation; and

(2) the filing of such other data and information as the attorney general may deem necessary.

(c) In addition to any other remedies available at law or equity, an investment manager or contractor of the system that serves as a fiduciary and violates the provisions of section 3, and amendments thereto, shall be obligated to pay damages to the state in an amount equal to three times all moneys paid to the investment manager or contractor by the system for the services of such investment manager or contractor.

New Sec. 6. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act, without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless for actual damages, court costs and attorney fees adjudged against, and defend the system and any of its current and former employees, members of the board or any other officers of the system related to the act or omission on which the damages are based.

Sec. 7. K.S.A. 2022 Supp. 74-4921 is hereby amended to read as follows: 74-4921. (1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund.

Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

- (a) A letter, memorandum, telegram, computer printout or similar writing; or
- (b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if ~~the sole or primary~~ any investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection ~~(6)(e)~~ (6);

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) the total of alternative investments does not exceed 15% of the total investment assets of the fund. The 15% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds 15% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than 15% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds 15% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the

standards contained in this section;

(c) for purposes of this ~~act~~ section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure, commodities and other investments ~~which~~ that have the characteristics described in this paragraph; and

~~(e)~~(d) except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6)(a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

~~(a)~~(i) Specific asset allocation standards and objectives;

~~(b)~~(ii) establishment of criteria for evaluating the risk versus the potential return on a particular investment;

~~(c)~~(iii) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;

~~(d)~~(iv) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

~~(e)~~(v) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions

of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board shall require a person contracted with to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in ~~clause (a) of this subsection (9)~~ shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the

fund.

(12)-(a) Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.

~~(b) The board shall prepare and submit an alternative investment report to the joint committee on pensions, investments and benefits prior to January 1, 2016. Such report shall include a review of alternative investments of the system with an emphasis on the effects of changes in law pursuant to this act and includes specific investment cost and market value information of each individual alternative investment.~~

Sec. 8. K.S.A. 2022 Supp. 74-4921 is hereby repealed.";

Also on page 2, in line 31, by striking "Kansas register" and inserting "statute book"; And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

MIKE THOMPSON

RICK KLOOS

*Conferees on part of Senate*

NICK HOHEISEL

WILLIAM CLIFFORD

*Conferees on part of House*

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2100**.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Pyle.

The Conference Committee Report was adopted.

#### MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 17**.

The House adopts the Conference Committee report on **SB 85**.

The House concurs in Senate amendments to **HB 2236**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2322**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2214**, and requests return of the bill.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2138**, and has appointed Representatives Thomas, Estes and Stogsdill as second conferees on the part of the House.

The House announced the appointment of Representatives W. Carpenter, Humphries and Hoyer to replace Representatives Landwehr, Eplee and S. Ruiz as conferees on **S Sub HB 2390**.

The House announced the appointment of Representatives W. Carpenter, Humphries and Hoyer to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 26**.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 17** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 9 through 33 and inserting:

"New Section 1. (a) The governing body of any city that satisfies the definition of such term under K.S.A. 12-5242(a)(2), and amendments thereto, is hereby authorized to designate reinvestment housing incentive districts within such city subject to the limitations of this section. Such city shall be subject to the provisions of K.S.A. 12-5244 through 12-5252, and amendments thereto.

(b) (1) The governing body of a city establishing a reinvestment housing incentive district under this section shall not:

(A) Designate more than 100 units within such district as for-sale units in one year or more than 100 units within such district as for-rent units in one year; and

(B) designate more than 50 units within such district associated with a single project as for-sale units in one year or more than 50 units within such district associated with a single project as for-rent units in one year.

(2) Units designated as for-sale units may be redesignated as for-rent units by the governing body if such units have not been sold within six months after the certificate of occupancy is granted.

(3) The governing body may designate for-sale and for-rent units for succeeding years as part of a proposed multi-phased, multi-year development plan adopted pursuant to K.S.A. 12-5246, and amendments thereto.

(c) The average size of each residence constructed per project within a reinvestment housing incentive district established under this section shall not exceed

1,650 square feet. The square footage shall be calculated excluding any garage area or other exterior area, such as porches, patios or unattached storage buildings.

(d) The provisions of this section shall be a part of and supplemental to the Kansas reinvestment housing incentive district act.

Sec. 2. K.S.A. 12-5241 is hereby amended to read as follows: 12-5241. ~~This act. The provisions of K.S.A. 12-5241 through 12-5256, and amendments thereto, and section 1, and amendments thereto,~~ shall be known and may be cited as the Kansas ~~rural~~ reinvestment housing incentive district act.

Sec. 3. K.S.A. 12-5242 is hereby amended to read as follows: 12-5242. Except as otherwise provided, as used in K.S.A. 12-5241 through 12-5251, and amendments thereto, and K.S.A. 12-5252 through 12-5258, and amendments thereto:

(a) "City" means the city of Topeka or any city incorporated in accordance with Kansas law:

(1) With a population of less than 60,000, as certified to the secretary of state by the director of the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto; ~~or~~

(2) for the purposes of a project subject to section 1, and amendments thereto, with a population of 60,000 or more, as certified to the secretary of state by the director of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto, except the city of Topeka; or

(3) for purposes of a project as defined in K.S.A. 12-5249(a)(11), and amendments thereto, within a qualified census tract, "city" includes any city with a qualified census tract located within the city.

(b) "City housing authority" means any agency of a city created pursuant to the municipal housing law, K.S.A. 17-2337 et seq., and amendments thereto.

(c) "Corporation" means the Kansas housing resources corporation.

(d) "County" means any county organized in accordance with K.S.A. 18-101 et seq., and amendments thereto:

(1) With a population of less than ~~80,000~~ 85,000, as certified to the secretary of state by the director of the division of the budget on the previous July ~~1<sup>st</sup>~~ 1 in accordance with K.S.A. 11-201, and amendments thereto; or

(2) for purposes of a project as defined in K.S.A. 12-5249(a)(11), and amendments thereto, within a qualified census tract, "county" includes any county with a qualified census tract located within the county.

(e) "Developer" means the person, firm or corporation responsible under an agreement with the governing body to develop housing or related public facilities in a district.

(f) "District" means a ~~rural~~ reinvestment housing incentive district established in accordance with this act.

(g) "Governing body" means the board of county commissioners of any county or the mayor and council, mayor and commissioners or board of commissioners, as the laws affecting the organization and status of cities affected may provide.

(h) "Housing development activities" means the construction or rehabilitation of infrastructure necessary to support construction of new residential dwellings and the actual construction of such residential dwellings, if such construction is conducted by a city housing authority.

(i) "Secretary" means the secretary of commerce of the state of Kansas.

(j) "Qualified census tract" means an economically distressed urban area that is a qualified census tract as defined and designated by the United States department of housing and urban development.

(k) "Real property taxes" means and includes all taxes levied on an ad valorem basis upon land and improvements thereon.

(l) "Taxing subdivision" means the county, the city, the unified school district, and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created ~~rural reinvestment~~ housing incentive district.

Sec. 4. K.S.A. 12-5243 is hereby amended to read as follows: 12-5243. It is hereby declared to be the purpose of this act to encourage the development and renovation of housing in ~~the rural~~ cities and counties of Kansas by authorizing cities and counties to assist directly in the financing of public improvements that will support such housing in ~~rural~~ areas of Kansas ~~which that~~ experience a shortage of housing.

Sec. 5. K.S.A. 12-5244 is hereby amended to read as follows: 12-5244. (a) The governing body of any city or county is hereby authorized to designate ~~rural reinvestment~~ housing incentive districts within such city or county. Any city governing body may designate one or more such districts in such city, and any county governing body may designate one or more such districts in any part of the unincorporated territory of such county. Prior to making such a designation, the governing body shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community. After conducting the analysis, the governing body shall adopt a resolution containing a legal description of the proposed district, a map depicting the existing parcels of real estate in the proposed district, and a statement of the following findings and determinations:

(1) There is a shortage of quality housing of various price ranges in the city or county despite the best efforts of public and private housing developers;

(2) the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in such city or county;

(3) the shortage of quality housing is a substantial deterrent to the future economic growth and development of such city or county; and

(4) the future economic well-being of the city or county depends on the governing body providing additional incentives for the construction or renovation of quality housing in such city or county.

(b) The resolution containing the findings contained in subsection (a) shall be published at least once in the official newspaper of the city or county.

(c) Upon publication of the resolution as provided in subsection (b), the governing body shall send a certified copy of the resolution to the secretary, requesting that the secretary review the resolution and advise the governing body whether the secretary agrees with the findings contained therein. If the secretary advises the governing body in writing that the secretary agrees with each of the findings of the governing body, the governing body may proceed to establish the district as set forth in this act. If the secretary fails to agree with the findings, the secretary shall advise the governing body in writing of the specific reasons therefor.

Sec. 6. K.S.A. 12-5247 is hereby amended to read as follows: 12-5247. (a) Any governing body ~~which that~~ has established a ~~rural reinvestment~~ housing incentive

district as provided in this act may purchase or otherwise acquire real property; however, the property may not be acquired through the exercise of the power of eminent domain. Relocation assistance payments shall be provided by the city or county in accordance with the provisions of K.S.A. 12-1777, and amendments thereto, to any tenants required to be relocated as a result of the acquisition of such property for any project in the district.

(b) Any property acquired by a city or county under this act may be sold or leased to any developer, in accordance with the ~~rural reinvestment~~ housing incentive plan and under such conditions as shall have been agreed to prior to the adoption of the plan. The city or county and the developer may agree to any additional terms and conditions, but if the developer requests to be released from any obligations agreed to and embodied in the plan, such release shall constitute a substantial change and subject to the requirements provided in ~~subsection (b) of K.S.A. 12-5246(b), and amendments thereto.~~

Sec. 7. K.S.A. 12-5249 is hereby amended to read as follows: 12-5249. (a) Any city or county that has established a ~~rural reinvestment~~ housing incentive district may use the proceeds of special obligation bonds issued under K.S.A. 12-5248, and amendments thereto, or any uncommitted funds derived from those sources of revenue set forth in K.S.A. 12-5248(a)(1), and amendments thereto, to implement specific projects identified within the ~~rural reinvestment~~ housing incentive district plan including, without limitation:

(1) Acquisition of property within the specific project area or areas as provided in K.S.A. 12-5247, and amendments thereto;

(2) payment of relocation assistance;

(3) site preparation;

(4) sanitary and storm sewers and lift stations;

(5) drainage conduits, channels and levees;

(6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(7) street lighting fixtures, connection and facilities;

(8) underground gas, water, heating, and electrical services and connections located within the public right-of-way;

(9) sidewalks;

(10) water mains and extensions; ~~and~~

(11) renovation of buildings or other structures more than 25 years of age primarily for residential use located in a central business district or in a business or commercial district within a qualified census tract as approved by the secretary of commerce. Certification of the age of the building or other structure shall be submitted to the secretary by the governing body of the city or county with the resolution as provided by K.S.A. 12-5244, and amendments thereto. Eligible residential improvements shall include only improvements made to the second or higher floors of a building or other structure. Improvements for commercial purposes shall not be eligible; and

(12) renovation or construction of residential dwellings, multi-family units or buildings or other structures exclusively for residential use located on existing lots if:

(A) The infrastructure, including streets, sewer, water and utilities, has been in existence for at least 10 years; or

(B) the existing lot has been subject to any tax assessment levied pursuant to chapter 12, article 6a or chapter 19, article 27 of the Kansas Statutes Annotated, and

amendments thereto, because such lot is located in an improvement district established pursuant to chapter 12, article 6a or chapter 19, article 27 of the Kansas Statutes Annotated, and amendments thereto.

(b) None of the proceeds from the sale of special obligation bonds issued under K.S.A. 12-5248, and amendments thereto, shall be used for the construction of buildings or other structures to be owned by or to be leased to any developer of a residential housing project within the district, except for buildings or other structures located in a central business district or in a business or commercial district within a qualified census tract as approved by the secretary of commerce.

Sec. 8. K.S.A. 12-5252 is hereby amended to read as follows: 12-5252. (a) Any city that prior to July 1, 2013, is located, in whole or in part, within the boundaries of a county designated by the United States federal emergency management agency under major disaster declaration FEMA-1711-DR or FEMA-1699, as eligible to receive individual or public assistance from the United States federal government that desires to designate a ~~rural~~ reinvestment housing incentive district pursuant to this act or such county shall be exempt from the provisions of ~~subsection (c)~~ of K.S.A. 12-5244(c), and amendments thereto, and may adopt a plan for a designated ~~rural~~ reinvestment housing incentive district without the approval of the secretary and without conducting a public hearing on such proposed plan.

(b) For any city in a county declared by the governor to be a state of disaster after January 1, 2008, or such county if the governor finds that such disaster resulted in the destruction of a significant amount of residential housing in such city or county the governor may designate such city or county to exercise the exemption authorized by subsection (a) for a period of five years from the date of the declaration of a state of disaster.

(c) Nothing in this section shall be construed so as to exempt a city or county from any other requirement set forth in this act, or to limit any of the rights, duties and privileges of a city or county under any other provisions of this act.

Sec. 9. K.S.A. 2022 Supp. 79-32,313 is hereby amended to read as follows: 79-32,313. (a) (1) For tax year 2022 and all tax years thereafter, a credit against the income tax liability imposed pursuant to the Kansas income tax act, the privilege tax liability imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premium tax liability imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, shall be allowed to:

(A) A qualified investor for a cash investment in a qualified housing project that has been approved and issued a tax credit by the director. The tax credit may be claimed in its entirety in the taxable year the cash investment is made; and

(B) a project builder or developer of a qualified housing project that has been approved and issued a tax credit by the director.

(2) To claim such tax credit, the qualified investor ~~or~~, project builder or developer or transferee shall provide all information or documentation in the form and manner required by the secretary of revenue. If the amount of the credit exceeds the taxpayer's tax liability in any one taxable year, the remaining portion of the credit may be carried forward in the succeeding taxable years until the total amount of the credit is used, except that no credit may be claimed after four taxable years next succeeding the

taxable year that such credit was issued, and any remaining credit shall be forfeited. Any portion of the credit that is carried forward may be transferred pursuant to subsection (d) and claimed by the transferee in the same manner as the transferor.

(b) (1) Tax credits may be issued by the director for a qualified housing project as follows:

(A) For qualified housing projects located in a county with a population of not more than 8,000, in an amount not to exceed \$35,000 per residential unit;

(B) for qualified housing projects located in a county with a population of more than 8,000 but not more than 25,000, in an amount not to exceed \$32,000 per residential unit; and

(C) for all other qualified housing projects, in an amount not to exceed \$30,000.

(2) A qualified housing project shall be limited to a total of 40 such residential units per year for both single-family and multi-family dwellings.

(3) Tax credits may be issued to a qualified investor in the amount of a cash investment of up to the total amount that may be issued by the director under this subsection for the qualified housing project, or as provided in the agreement required by K.S.A. 2022 Supp. 79-32,312, and amendments thereto. Project builders or developers may apply to the director each year for tax credits for additional units or phases of a project. Qualified investors may be issued tax credits for cash investments in multiple qualified housing projects. Project builders or developers may apply and be approved for multiple qualified housing projects in the same tax year.

(4) The aggregate amount of tax credits that may be issued under this section shall not exceed \$13,000,000 each tax year, except that if the director issues an aggregate amount of tax credits in one tax year that is less than \$13,000,000, then the director may carry forward the difference and issue such amount of tax credits in the immediately succeeding tax year in addition to the statutory amount that may be issued under this section. Of the aggregate amount of tax credits issued in one tax year, the director shall allocate:

(A) Not less than \$2,500,000 in tax credits for qualified housing projects located in counties with a population of not more than 8,000;

(B) not less than \$2,500,000 in tax credits for qualified housing projects located in counties with a population of more than 8,000 but not more than 25,000; and

(C) up to \$8,000,000 in tax credits for qualified housing projects located in counties with a population of more than 25,000 but not more than 75,000.

(c) A cash investment in a qualified housing project shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined by the director.

(d) ~~Any qualified investor without a current tax liability at the time of the investment in a qualified housing project that does not reasonably believe such investor will owe any such tax for the current taxable year and who receives a tax credit pursuant to this section shall be deemed to acquire an interest in the nature of a transferable credit limited to the amount of the credit issued to the qualified investor by the director. This interest~~ All or a portion of such credit may be transferred by the qualified investor or any subsequent transferee to any person one or more persons whether or not such ~~person transferee~~ transferee is then a qualified investor and be claimed by the transferee as a credit against the transferee's Kansas tax liability in the same manner as the transferor beginning in the year the credit is transferred. The credit may be carried

forward as permitted by subsection (a). There shall be no limit on the number of times a credit or any portion thereof can be transferred. No person shall be entitled to a refund for any interest on such tax credit that may be created under this section. ~~Only the full amount of the tax credit for any one qualified housing project investment may be transferred and may only be transferred one time.~~ A credit acquired by transfer shall be subject to the limitations prescribed in this section. Any such transferee succeeds to all remaining rights and restrictions of the transferor with respect to the credit being transferred on the date of such transfer. Documentation of any credit acquired by transfer shall be provided by the taxpayer claiming such credit in the manner required by the secretary of revenue. The qualified investor or subsequent transferee transferring such credit shall provide the director and the secretary of revenue with the name, address and taxpayer identification number of each person to whom ~~tax~~ credits have been transferred and such other information as may be required by the director or the secretary of revenue. The provisions of this subsection shall apply to credits issued for tax year 2022 and all tax years thereafter.

(e) The secretary of revenue may adopt rules and regulations as necessary to implement and administer the provisions of this act.

(f) For purposes of calculating any tax due under K.S.A. 40-253, and amendments thereto, the credit allowed by this section shall be treated as a tax paid under K.S.A. 40-252, and amendments thereto.

Sec. 10. K.S.A. 12-5241, 12-5242, 12-5243, 12-5244, 12-5247, 12-5249 and 12-5252 and K.S.A. 2022 Supp. 79-32,313 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 5; in line 6, by striking all before the period and inserting "housing; expanding the use of bond proceeds under the Kansas reinvestment housing incentive district act; transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act; amending K.S.A. 12-5241, 12-5242, 12-5243, 12-5244, 12-5247, 12-5249 and 12-5252 and K.S.A. 2022 Supp. 79-32,313 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

NICK HOHEISEL

LAURA WILLIAMS

RUI XU

*Conferees on part of House*

JEFF LONGBINE

MICHAEL FAGG

CINDY HOLSCHER

*Conferees on part of Senate*

Senator Olson moved the Senate adopt the Conference Committee Report on **SB 17**.

Upon the showing of ten hands a motion to Call the Question was requested. Division was requested and the motion carried.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Ware, Wilborn.

Nays: Baumgardner, Erickson, Gossage, Peck, Steffen, Straub, Thompson, Tyson, Warren.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 85** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 16, following line 20, by inserting:

"Sec. 12. K.S.A. 75-6513 is hereby amended to read as follows: 75-6513. (a) ~~The health care benefits program fund is hereby abolished and any reference to the health care benefits program fund in any statute, contract or other document shall be deemed to be a reference to the cafeteria benefits fund established by this section. There is hereby created in the state treasury the cafeteria benefits fund. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the health care benefits program fund to the cafeteria benefits fund and all liabilities of the health care benefits program fund are hereby transferred to and imposed upon the cafeteria benefits fund.~~

(b) The cost of the state ~~health care~~ healthcare benefits program, including the costs of administering the program, shall be paid from the cafeteria benefits fund. ~~The cost of the long-term care insurance, including the costs of administration, purchased pursuant to K.S.A. 75-6523, and amendments thereto, shall be paid from the cafeteria benefits fund.~~ The Kansas state employees health care commission shall remit all moneys received by or for the commission pursuant to the state ~~health care~~ healthcare benefits program ~~or from the purchase of long-term care insurance~~ to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the cafeteria benefits fund.

(c) Each state agency shall pay into the cafeteria benefits fund amounts specified by the secretary of administration to pay for costs of administering the cafeteria plan as provided by law, including the costs of benefits provided thereunder.

(d) All expenditures from the cafeteria benefits fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by: (1) The chairperson of the Kansas state employees health care commission or by a person or persons designated by the chairperson, for expenditures relating to the ~~health care~~ state healthcare benefits program; and (2) the secretary of administration or by a person or persons designated by the secretary, for expenditures relating to administering the cafeteria plan as provided by law, including the costs of benefits provided thereunder. The director of accounts and reports shall issue warrants pursuant to vouchers approved under this section for payments from the cafeteria benefits fund notwithstanding the fact that claims for such payments were not

submitted or processed for payment from money appropriated for the fiscal year in which the fund first became liable to make such payments.";

Also on page 16, in line 21, by striking "is" and inserting "and 75-6513 are"; also on line 21, after "repealed" by inserting "; also repealing K.S.A. 75-6521, 75-6522 and 75-6523"; in line 23, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "travel"; in line 3, after the first semicolon by inserting "relating to insurance for state employees;"; in line 6, after the second semicolon by inserting "eliminating the requirement that the Kansas state employee health care commission offer long-term care insurance and indemnity insurance;"; in line 7, after "40-4903" by inserting "and 75-6513"; also in line 7, by striking "section" and inserting "sections; also repealing K.S.A. 75-6521, 75-6522 and 75-6523";

And your committee on conference recommends the adoption of this report.

BILL SUTTON  
PATRICK PENN  
CINDY NEIGHBOR

*Conferees on part of House*

JEFF LONGBINE  
MICHAEL FAGG  
CINDY HOLSCHER

*Conferees on part of Senate*

Senator Longbine moved the Senate adopt the Conference Committee Report on **SB 85**.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Shallenburger, Steffen, Tyson.

The Conference Committee Report was adopted.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2014** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 1, by striking all in lines 6 through 12; following line 12, by inserting:

"Section 1. K.S.A. 44-918 is hereby amended to read as follows: 44-918. (a) The state fire marshal may appoint a chief inspector and one or more deputy inspectors who shall be in the unclassified civil service and shall receive such compensation as prescribed by the state fire marshal, subject to the approval of the governor.

(b) The chief inspector and deputy inspectors shall serve under the direction of the

state fire marshal. The state fire marshal, chief inspector and other duly authorized representatives of the state fire marshal are hereby charged, directed and empowered:

(1) To take action necessary for the enforcement of this act and of the rules and regulations adopted hereunder;

(2) to maintain a complete record of all boilers and pressure vessels to which this act applies, which record shall include the name and address of each owner or user and the type, dimensions, maximum allowable working pressure, age and last recorded inspection of each such boiler or pressure vessel;

(3) to publish and make available copies of rules and regulations adopted hereunder to any person requesting them;

(4) to issue, or to suspend or revoke for cause, inspection certificates as provided in K.S.A. 44-924, and amendments thereto; and

(5) to cause the prosecution of all violators of the provisions of this act or of the rules and regulations adopted hereunder.

(e)(1) ~~A chief inspector shall:~~

~~(A) Have not less than five years of experience in the construction, installation, repair, operation or inspection of boilers, steam generators, super-heaters or pressure vessels; and~~

~~(B) hold a commission issued by the national board of boiler and pressure vessel inspectors, and have the following: (i) An in-service commission; (ii) an "A" endorsement; and (iii) a "B" endorsement. If the chief inspector does not have a "B" endorsement, then the chief inspector shall have the ability to acquire a "B" endorsement within 18 months after appointment as chief inspector.~~

~~(2) A deputy inspector shall:~~

~~(A) (i) Have completed courses and training and have experience in the construction, installation, repair, operation or inspection of boilers or pressure vessels, which in the aggregate amounts to not less than two years of time spent on education, training and work experience; or~~

~~(ii) have not less than five years of experience in the heating, ventilation, air-conditioning or plumbing fields related to the installation or repair of boilers or pressure vessels; and~~

~~(B) hold an in-service commission issued by the national board of boiler and pressure vessel inspectors. If the deputy inspector does not have an in-service commission, then the deputy inspector shall have the ability to acquire such commission within 12 months after appointment as deputy inspector.~~

Sec. 2. K.S.A. 2022 Supp. 65-2891 is hereby amended to read as follows: 65-2891.

(a) Any healthcare provider who in good faith renders emergency care or assistance at the scene of an emergency or accident including treatment of a minor without first obtaining the consent of the parent or guardian of such minor shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.

(b) Any healthcare provider may render in good faith emergency care or assistance, without compensation, to any minor requiring such care or assistance as a result of having engaged in competitive sports, without first obtaining the consent of the parent or guardian of such minor. Such healthcare provider shall not be liable for any civil damages other than damages occasioned by gross negligence or by willful or wanton

acts or omissions by such person in rendering such emergency care.

(c) Any healthcare provider may in good faith render emergency care or assistance during an emergency that occurs within a hospital or elsewhere, with or without compensation, until such time as the physician employed by the patient or by the patient's family or by guardian assumes responsibility for such patient's professional care. The healthcare provider rendering such emergency care shall not be held liable for any civil damages other than damages occasioned by negligence.

(d) ~~Any provision herein contained notwithstanding~~ Except as otherwise provided, the ordinary standards of care and rules of negligence shall apply in those cases wherein emergency care and assistance is rendered in any physician's or dentist's office, clinic, emergency room or hospital with or without compensation.

(e) As used in this section ~~the term~~, "healthcare provider" means any person licensed to practice any branch of the healing arts, licensed dentist, licensed optometrist, licensed professional nurse, licensed practical nurse, licensed podiatrist, licensed pharmacist, licensed physical therapist, ~~and any licensed physician assistant who has successfully completed an American medical association approved training program and has successfully completed the national board examination for physician assistants of the American board of medical examiners~~, any licensed athletic trainer, any licensed occupational therapist, any licensed respiratory therapist, any person who holds a valid emergency medical service provider's certificate under K.S.A. 65-6129, and amendments thereto, any person who holds a valid certificate for the successful completion of a course in first aid offered or approved by the American red cross, by the American heart association, by the mining enforcement and safety administration of the bureau of mines of the department of interior, by the national safety council ~~or by any instructor-coordinator, as defined in K.S.A. 65-6112, and amendments thereto, and by the emergency medical services board or~~ any person engaged in a postgraduate training program approved by the state board of healing arts.

Sec. 3. K.S.A. 2022 Supp. 65-6102 is hereby amended to read as follows: 65-6102.

(a) There is hereby established the emergency medical services board. The office of the emergency medical services board shall be located in the city of Topeka, Kansas.

(b) The emergency medical services board shall be composed of 15 members to be appointed as follows:

(1) Eleven members shall be appointed by the governor. Of such members:

(A) Three shall be physicians who are actively involved in emergency medical services;

(B) two shall be county commissioners of counties making a levy for ambulance service, at least one of whom shall be from a county having a population of ~~less~~ fewer than 15,000;

(C) one shall be an instructor-coordinator actively involved in teaching initial courses of instruction for certification as an emergency medical service provider;

(D) one shall be a hospital administrator actively involved in emergency medical services;

(E) one shall be a member of a firefighting unit that provides emergency medical service; and

(F) three shall be emergency medical service providers who are actively involved in emergency medical service. At least two classifications of emergency medical service providers shall be represented. At least one of such members shall be from a volunteer

emergency medical service; and

(2) four members shall be appointed as follows:

(A) One shall be a member of the Kansas senate to be appointed by the president of the senate;

(B) one shall be a member of the Kansas senate to be appointed by the minority leader of the senate;

(C) one shall be a member of the Kansas house of representatives to be appointed by the speaker of the house of representatives; and

(D) one shall be a member of the Kansas house of representatives to be appointed by the minority leader of the house of representatives.

(c) All members of the board shall be residents of the state of Kansas. Appointments to the board shall be made with due consideration that representation of the various geographical areas of the state is ensured. The governor may remove any member of the board upon recommendation of the board. Any person appointed to a position on the board shall forfeit such position upon vacating the office or position that qualified such person to be appointed as a member of the board.

(d) Members shall be appointed for terms of four years and until their successors are appointed and qualified. In the case of a vacancy in the membership of the board, the vacancy shall be filled for the unexpired term.

(e) The board shall meet at least four times annually and at least once each quarter and at the call of the chairperson or at the request of the executive director of the emergency medical services board or of any seven members of the board. At the first meeting of the board after January 1 each year, the members shall elect a chairperson and a ~~vice chairperson~~ vice chairperson who shall serve for a term of one year. The ~~vice chairperson~~ vice chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of the chairperson or ~~vice chairperson~~ vice chairperson, the board shall fill such vacancy by election of one of its members to serve the unexpired term of such office. Members of the board attending meetings of the board or attending a subcommittee meeting thereof authorized by the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(f) Except as otherwise provided by law, all vouchers for expenditures and all payrolls of the emergency medical services board shall be approved by the emergency medical services board or a person designated by the board.

Sec. 4. K.S.A. 2022 Supp. 65-6112 is hereby amended to read as follows: 65-6112. As used in article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto:

(a) "Administrator" means the executive director of the emergency medical services board.

(b) "Advanced emergency medical technician" means a person who holds an advanced emergency medical technician certificate issued pursuant to this act.

(c) "Advanced practice registered nurse" means an advanced practice registered nurse as defined in K.S.A. 65-1113, and amendments thereto.

(d) "Ambulance" means any privately or publicly owned motor vehicle, airplane or helicopter designed, constructed, prepared, staffed and equipped for use in transporting and providing emergency care for individuals who are ill or injured.

(e) "Ambulance service" means any organization operated for the purpose of

transporting sick or injured persons to or from a place where medical care is furnished, whether or not such persons may be in need of emergency or medical care in transit.

(f) "Board" means the emergency medical services board established pursuant to K.S.A. 65-6102, and amendments thereto.

(g) "Emergency medical service" means the effective and coordinated delivery of such care as may be required by an emergency that includes the care and transportation of individuals by ambulance services and the performance of authorized emergency care by a physician, advanced practice registered nurse, professional nurse, a licensed physician assistant or emergency medical service provider.

(h) "Emergency medical service provider" means an emergency medical responder, advanced emergency medical technician, emergency medical technician or paramedic certified by the emergency medical services board.

(i) "Emergency medical technician" means a person who holds an emergency medical technician certificate issued pursuant to this act.

(j) "Emergency medical responder" means a person who holds an emergency medical responder certificate issued pursuant to this act.

(k) "Hospital" means a hospital as defined by K.S.A. 65-425, and amendments thereto.

~~(l) "Instructor-coordinator" means a person who is certified under this act to teach or coordinate both initial certification and continuing education classes.~~

~~(m)~~ "Medical director" means a physician.

~~(n)~~(m) "Medical oversight" means to review, approve and implement medical protocols and to approve and monitor the activities, competency and education of emergency medical service providers.

~~(o)~~(n) "Medical protocols" means written guidelines that authorize emergency medical service providers to perform certain medical procedures prior to contacting a physician, physician assistant authorized by a physician, advanced practice registered nurse authorized by a physician or professional nurse authorized by a physician.

~~(p)~~(o) "Municipality" means any city, county, township, fire district or ambulance service district.

~~(q)~~(p) "Nonemergency transportation" means the care and transport of a sick or injured person under a foreseen combination of circumstances calling for continuing care of such person. As used in this subsection, transportation includes performance of the authorized level of services of the emergency medical service provider whether within or outside the vehicle as part of such transportation services.

~~(r)~~(q) "Operator" means a person or municipality who has a permit to operate an ambulance service in the state of Kansas.

~~(s)~~(r) "Paramedic" means a person who holds a paramedic certificate issued pursuant to this act.

~~(t)~~(s) "Person" means an individual, a partnership, an association, a joint-stock company or a corporation.

~~(u)~~(t) "Physician" means a person licensed by the state board of healing arts to practice medicine and surgery.

~~(v)~~(u) "Physician assistant" means a physician assistant as defined in K.S.A. 65-28a02, and amendments thereto.

~~(w)~~(v) "Professional nurse" means a licensed professional nurse as defined by K.S.A. 65-1113, and amendments thereto.

~~(x)~~(w) "Sponsoring organization" means any professional association, accredited postsecondary educational institution, ambulance service that holds a permit to operate in this state, fire department, other officially organized public safety agency, hospital, corporation, governmental entity or emergency medical services regional council, as approved by the executive director, to offer initial courses of instruction or continuing education programs.

Sec. 5. K.S.A. 2022 Supp. 65-6124 is hereby amended to read as follows: 65-6124.

(a) No physician, physician assistant, advanced practice registered nurse or licensed professional nurse who gives emergency instructions to an emergency medical service provider during an emergency shall be liable for any civil damages as a result of issuing the instructions, except such damages that may result from gross negligence in giving such instructions.

(b) No emergency medical service provider who renders emergency care during an emergency pursuant to instructions given by a physician, physician assistant, advanced practice registered nurse or licensed professional nurse shall be liable for civil damages as a result of implementing such instructions, except such damages that may result from gross negligence or by willful or wanton acts or omissions on the part of such emergency medical service provider.

~~(c) No person certified as an instructor-coordinator shall be liable for any civil damages that may result from such instructor-coordinator's course of instruction, except such damages that may result from gross negligence or by willful or wanton acts or omissions on the part of the instructor-coordinator.~~

~~(d)~~ No medical director who provides medical oversight shall be liable for any civil damages as a result of such medical oversight, except such damages that may result from gross negligence in the provision of such medical oversight.

Sec. 6. K.S.A. 2022 Supp. 65-6150 is hereby amended to read as follows: 65-6150.

(a) It shall be unlawful for any individual to represent oneself as an emergency medical service provider ~~or instructor-coordinator~~ unless such individual holds a valid certificate as such under this act.

(b) Any violation of subsection (a) shall constitute a class B misdemeanor.

Sec. 7. K.S.A. 44-918 and K.S.A. 2022 Supp. 65-2891, 65-6102, 65-6112, 65-6124, 65-6129b and 65-6150 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "highway" and inserting "certain state public health and safety personnel; relating to the state fire marshal; eliminating the statutory qualifications of the chief inspector and deputy inspector for boiler safety; relating to emergency medical services; eliminating the designation and certification of instructor-coordinators; amending K.S.A. 44-918 and K.S.A. 2022 Supp. 65-2891, 65-6102, 65-6112, 65-6124 and 65-6150 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 65-6129b";

And your committee on conference recommends the adoption of this report.

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

*Conferees on part of Senate*

WILL CARPENTER

TOM KESSLER

JO ELLA HOYE

*Conferees on part of House*

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2014**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2039** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 21, by inserting:

"Sec. 2. K.S.A. 32-837 is hereby amended to read as follows: 32-837. (a) The following parks have been designated as a part of the state park system: (1) Kanopolis-Mushroom Rock state park in Ellsworth county; (2) Cross Timbers state park at Toronto Lake in Woodson county; (3) Fall River state park in Greenwood county; (4) Cedar Bluff state park in Trego county; (5) Tuttle Creek state park in Pottawatomie and Riley counties; (6) Pomona state park in Osage county; (7) Cheney state park in Kingman and Reno counties; (8) Lake Crawford state park in Crawford county; (9) Lovewell state park in Jewell county; (10) Lake Meade state park in Meade county; (11) Prairie Dog state park in Norton county; (12) Webster state park in Rooks county; (13) Wilson state park in Russell county; (14) Milford state park in Geary county; (15) Historic Lake Scott state park in Scott county; (16) Elk City state park in Montgomery county; (17) Perry state park in Jefferson county; (18) Glen Elder state park in Mitchell county; (19) El Dorado state park in Butler county; (20) Eisenhower state park in Osage county; (21) Clinton state park in Douglas and Shawnee counties; (22) Sand Hills state park in Reno county; (23) Hillsdale state park in Miami county; (24) Kaw River state park in Shawnee county; (25) Prairie Spirit rail trail state park in Franklin, Anderson and Allen counties; (26) Flint Hills trail state park in Miami, Franklin, Osage, Lyon, Morris and Dickinson counties; ~~and~~ (27) Little Jerusalem Badlands state park in Logan county; and (28) Lehigh Portland state park in Allen county.

(b) No state park named in subsection (a) shall be removed from the state park system without legislative approval.

(c) The hours that Kaw River state park in Shawnee county is open to the public may be limited to those hours that parks of the city of Topeka are open, except that such state park shall be open at all hours for prescheduled events.

(d) The requirements found in K.S.A. 65-171d(j)(2), and amendments thereto, shall

not apply to subsection (a)(25) or (a)(26).

(e) For any state park listed in subsection (a) containing a recreational trail created pursuant to 16 U.S.C. § 1247(d), the Kansas department of wildlife, ~~and parks and tourism~~ shall carry out the duties listed in K.S.A. 58-3212(a)(1) through (a)(11), and amendments thereto.";

On page 8, in line 6, after "K.S.A." by inserting "32-837,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to recreation; designating Lehigh Portland state park as part of the state park system;"; in line 3, after "K.S.A." by inserting "32-837,";

And your committee on conference recommends the adoption of this report.

RENEE ERICKSON

BRENDA DIETRICH

TOM HOLLAND

*Conferees on part of Senate*

KEN RAHJES

LISA MOSER

SYDNEY CARLIN

*Conferees on part of House*

Senator Dietrich moved the Senate adopt the Conference Committee Report on **HB 2039**.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeyes, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Baumgardner, Peck, Steffen, Straub, Thompson.

The Conference Committee Report was adopted.

#### **CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2302** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2302, as follows:

On page 1, in line 20, after "invest" by inserting ", or in the state treasurer's discretion direct the pooled money investment board to invest,";

On page 2, in line 17, after "invest" by inserting ", or in the state treasurer's discretion direct the pooled money investment board to invest,";

On page 3, in line 6, by striking the colon; in line 7, by striking "(A)"; in line 10, by striking "(i)" and inserting "(A)"; in line 13, by striking "\$15,000,000" and inserting "\$12,000,000"; in line 15, by striking all after "thereto"; by striking all in lines 16 through 21; in line 22, by striking all before the period;

On page 4, following line 9, by inserting:

"(4) The Kansas water authority may direct the Kansas water office to provide funding pursuant to section 4 or 5, and amendments thereto, for the improvement of water infrastructure in an unincorporated area related to or serving a national park site or state historic site if the request for funding is made by a nonprofit organization or state agency that is willing to administer the moneys and oversee the project, and the Kansas water authority deems such applicant capable of successfully managing the project. Upon receipt of such a request, the Kansas water office may award moneys in any fiscal year prior to July 1, 2028, with such awarding of moneys to be made at the discretion of the Kansas water office.

(5) The Kansas water authority shall encourage the creation of grant programs for stockwatering conservation projects. Such grant programs shall prioritize the use of fees collected pursuant to K.S.A. 82a-954(a)(3), and amendments thereto.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 4, in line 23, by striking all after "15,000,000,"; by striking all in lines 24 through 26; in line 27, by striking all before the period and inserting "such excess moneys may be recommended for appropriation by the Kansas water authority for the same purposes that any other moneys in the state water plan fund are appropriated"; in line 34, by striking the comma; in line 35, by striking all before the second "or"; in line 39, by striking all after "municipality"; in line 40, by striking all before "or"; in line 43, by striking "and unincorporated areas";

On page 5, in line 9, by striking "and unincorporated areas"; in line 10, by striking all after "municipalities"; in line 11, by striking "areas"; in line 13, by striking "or unincorporated area"; in line 29, by striking "\$30,000,000" and inserting "\$35,000,000";

And your committee on conference recommends the adoption of this report.

DAN KERSCHEN

MICHAEL FAGG

MARY WARE

*Conferees on part of Senate*

JIM MINNIX

CYNDI HOWERTON

LINDSAY VAUGHN

*Conferees on part of House*

Senator Fagg moved the Senate adopt the Conference Committee Report on **S Sub HB 2302**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland.

Present and Passing: Baumgardner.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2336** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 3, following line 33, by inserting:

"Sec. 2. K.S.A. 75-1253 is hereby amended to read as follows: 75-1253. (a) (1) Whenever it becomes necessary in the judgment of the secretary of administration or in any case when the ~~total~~ construction cost of a project for the construction of a building or for major repairs or improvements to a building for a state agency is expected to exceed ~~\$1,000,000—the amount specified in paragraph (2),~~ the secretary of administration shall convene a negotiating committee. The state building advisory commission shall prepare a list of at least three ~~and but~~ not more than five firms ~~which that~~ are, in the opinion of the state building advisory commission, qualified to serve as project architect, engineer or land surveyor for the project. Such list shall be submitted to the negotiating committee, without any recommendation of preference or other recommendation.

(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to the percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor during the immediately preceding fiscal year rounded to the nearest whole dollar amount.

(b) The secretary of administration may combine two or more separate projects for the construction of buildings or for major repairs or improvements to buildings for state agencies, for the purpose of procuring architectural, engineering or land surveying services for all such projects from a single firm. In each case, the combined projects shall be construed to be a single project for all purposes under the provisions of K.S.A. 75-1250 through 75-1267, and amendments thereto.

(c) (1) This section shall not apply to any repetitive project with a standard plan that was originally designed by the secretary of administration or an agency architect pursuant to K.S.A. 75-1254(a)(2) and (3), and amendments thereto. In such a case, the secretary of administration or the agency architect may provide architectural services for the repetitive project.

(2) "Repetitive project" means a project ~~which that~~ uses the same standard design as was used for a project constructed previously, including, but not limited to, sub-area shops and salt domes of the department of transportation and showers and toilet buildings of the Kansas department of wildlife, ~~and parks and tourism~~. The plans for the project may be modified as required for current codes, operational needs or cost control. The total floor area of the project may be increased by an area of not more than 25% of the floor area of the originally constructed project, except that not more than 25% of the

linear feet of the exterior and interior walls may be moved for such increase. A project shall not be considered to be repetitive if it has been over four years between the substantial completion of the last project using the design plans and the appropriation of funds for the proposed project.

Sec. 3. K.S.A. 75-5804 is hereby amended to read as follows: 75-5804. (a) (1) Whenever it becomes necessary in the judgment of the agency head of a state agency for which a project is proposed and, in any case where the ~~total construction~~ cost of such a proposed project is expected to exceed ~~\$500,000~~ the amount specified in paragraph (2), the agency head shall convene a negotiating committee. Except as otherwise provided in subsection (b), the agency head shall submit the list of at least three ~~and but~~ not more than five of the most highly qualified firms to the negotiating committee so convened, without any recommendation of preference or other recommendation.

(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to the percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor during the immediately preceding fiscal year rounded to the nearest whole dollar amount.

(b) Whenever a negotiating committee is convened under this section for a proposed project requiring engineering or land surveying services ~~which that~~ concerns the construction of any building or facility or any major repairs or improvements to any building or facility, including but not limited, to any heating, cooling or power facility, for a state agency, the agency head for the state agency shall notify the state building advisory commission of the project and shall request a list of firms qualified to provide the engineering or land surveying services for the proposed project. Upon receipt of any such request the state building advisory commission shall evaluate the current statements of qualifications and performance data on file, together with those statements that may be submitted by other firms regarding the proposed project and other information developed and available to the state building advisory commission. The commission shall prepare a list of at least three ~~and but~~ not more than five firms ~~which that~~, in the opinion of the state building advisory commission, are qualified to furnish the engineering or land surveying services for the proposed project. Each such list shall be submitted to the negotiating committee so convened without any recommendation of preference or other recommendation.";

Also on page 3, in line 34, by striking "is" and inserting ", 75-1253 and 75-5804 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the surplus" and inserting "governmental"; also in line 1, by striking "and public airport authority act"; in line 2, after "to" by inserting "public construction and improvement projects; increasing the"; also in line 2, by striking "; providing for increased bonding authority" and inserting "for public airport authorities for projects"; in line 6, after the semicolon by inserting "increasing the cost threshold for mandatory convening of a negotiating committee to obtain professional services for state construction projects; providing for an annual increase in such cost threshold based on the consumer price index; changing the

measure of such cost threshold from "total project cost" to "construction cost";"; also in line 6, after "27-334" by inserting ", 75-1253 and 75-5804"; in line 7, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

RENEE ERICKSON  
 BRENDA DIETRICH  
 TOM HOLLAND  
*Conferees on part of Senate*

SEAN TARWATER  
 JESSE BORJON  
 JASON PROBST  
*Conferees on part of House*

Senator Dietrich moved the Senate adopt the Conference Committee Report on **HB 2336**.

On roll call, the vote was: Yeas 31; Nays 7; Present and Passing 2; Absent or Not Voting 0.

Yeas: Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Peck, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson.

Present and Passing: Alley, Warren.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until 5:00 p.m.

#### EVENING SESSION

The Senate met pursuant to recess with Vice President Wilborn in the chair.

#### MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 42**.

The House adopts the Conference Committee report on **SB 221**.

The House concurs in Senate amendments to **S Sub HB 2344**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2325**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2125**, and requests return of the bill.

The House adopts the Conference Committee report on **S Sub HB 2058**.

The House adopts the Conference Committee report on **S Sub HB 2170**.

The House adopts the Conference Committee report on **HB 2196**.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 113**, and has appointed Representatives Williams, K., Landwehr and Winn as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2010**, and has appointed Representatives Owens, Smith, E. and Highberger as second conferees on the part of the House

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **SB 113** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS  
BRENDA LANDWEHR  
VALDENIA WINN  
*Conferees on part of House*

MOLLY BAUMGARDNER  
RENEE ERICKSON  
DINAH SYKES  
*Conferees on part of Senate*

On motion of Senator Gossage the Senate adopted the conference committee report on **H Sub SB 113**, and requested a new conference be appointed.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **H Sub SB 113**.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2390** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE  
RENEE ERICKSON  
PAT PETTEY  
*Conferees on part of Senate*

WILL CARPENTER  
SUSAN HUMPHRIES  
JO ELLA HOYE  
*Conferees on part of House*

On motion of Senator Gossage the Senate adopted the conference committee report on **S Sub HB 2390**, and requested a new conference be appointed.

The Vice President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **S Sub HB 2390**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2184** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 10 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 14; following line 14, by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall not be subject to the provisions of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. (a) The department of corrections is hereby authorized and directed to pay the following amounts from the El Dorado correctional facility – facilities operations account of the state general fund for lost property to the following claimants:

Jeremy Johnson #71992	
Hutchinson Correctional Facility	
P.O. Box 1568	
Hutchinson, KS 67504.....	\$300.00
Mathew McDaniel #98722	
Larned Correctional and Mental Health Facility	
1318 KS Hwy #264	
Larned, KS 67550.....	\$29.22
Tarrance Noel #122162	
El Dorado Correctional Facility	
P.O. Box 311	
El Dorado, KS 67042.....	\$35.65
Sean McKenzie #104238	
El Dorado Correctional Facility	
P.O. Box 311	
El Dorado, KS 67042.....	\$22.95

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for lost property to the following claimant:

John Stenberg #113332  
Ellsworth Correctional Facility  
P.O. Box 107

Ellsworth, KS 67439 .....\$21.18

(c) The department of corrections is hereby authorized and directed to pay the following amounts from the Hutchinson correctional facility – facilities operations account of the state general fund for lost property to the following claimants:

Christopher Kern #123544

Larned Mental Health Correctional Facility

1318 KS Hwy 264

Larned, KS 67550.....\$59.43

Luis Rojas-Marceleno #94492

El Dorado Correctional Facility

P.O. Box 311

El Dorado, KS 67042.....\$108.20

Anthony McRoberts #0117607

Lansing Correctional Facility

P.O. Box 2

Lansing, KS 66043.....\$50.00

(d) The department of corrections is hereby authorized and directed to pay the following amounts from the Lansing correctional facility – facilities operations account of the state general fund for lost property to the following claimants:

Terry Bowen #71399

Lansing Correctional Facility

P.O. Box 2

Lansing, KS 66043.....\$250.00

Ray Floyd Garcia Jr. #6002627

El Dorado Correctional Facility

P.O. Box 311

El Dorado, KS 67042.....\$315.00

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Norton correctional facility – facilities operations account of the state general fund for lost property to the following claimant:

Gary Ditzes #25329

Norton Correctional Facility

P.O. Box 546

Norton, KS 67654.....\$50.00

Sec. 3. The Larned state hospital is hereby authorized and directed to pay the following amount from its operating expenditures account of the state general fund for lost property to the following claimant:

Gary D. Marks #42191

1301 KS Hwy 264

Larned, KS 67550.....\$680.00

Sec. 4. The adjutant general is hereby authorized and directed to pay the following amounts from existing resources for property damage to the following claimants:

Mathew Ayres

2 Will Ct.

Halstead, KS 67056.....\$592.00

Engelbert Sama Ade

6034 Painswick Dr.

Aubrey, TX 76227.....\$5,713.54

Sec. 5. The Kansas bureau of investigation is hereby authorized and directed to pay the following claimant from the operating expenditures account of the state general fund for property damage:

Jamy Hurren

P.O. Box 2985

Salina, KS 67402.....\$1,607.15

Sec. 6. The Kansas department of administration is hereby authorized and directed to pay the following claimants from the operating expenditures account of the state general fund for property damage:

Kenneth McGovern

4029 Harvard Road

Lawrence, KS 66049.....\$4,072.04

Michael Seastrom

2009 SW Bowman Court

Topeka, KS 66604.....\$1,989.45

Sec. 7. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Bohm Farm & Ranch, Inc.

632 S. Broadway

Salina, KS 67404.....\$1,119.58

Tom Geist

203 W Main St.

Victoria, KS 67671.....\$127.48

Johnson Feed, Inc.

305 W. Industrial

Canton, SD 57013.....\$2,854.33

Ottawa Bus Service, Inc.

1320 W. 149<sup>th</sup> St.

Olathe, KS 66061.....\$772.20

Pat Ringle

2658 260<sup>th</sup> Rd.

Emporia, KS 66801.....\$45.00

Mark Schmidt

906 W. 160<sup>th</sup> St.

Caldwell, KS 67022.....\$60.84

Clyde Sutton

9503 170<sup>th</sup> Rd.

Ness City, KS 67560.....\$359.64

Louis B. Vestring

9872 NE Stoney Crk Rd.

Cassoday, KS 66842.....\$1,585.66

Wichita Country Club

P.O. Box 8105

Wichita, KS 67208.....\$162.00

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 7, and amendments thereto, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 7 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

ABSTRACTERS' BOARD OF EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Abstracters' fee fund (016-00-2700-0100)

For the fiscal year ending June 30, 2024.....\$25,711

For the fiscal year ending June 30, 2025.....\$25,723

Sec. 10.

BOARD OF ACCOUNTANCY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of accountancy fee fund (028-00-2701-0100)

For the fiscal year ending June 30, 2024.....\$482,372

*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,400.

For the fiscal year ending June 30, 2025.....\$426,097

*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,400.

Special litigation reserve fund (028-00-2715-2700)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2024, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund (028-00-2701-0100) to the special litigation reserve fund (028-00-2715-2700) of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2024, shall not exceed \$20,000: *Provided further*; That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2025, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund (028-00-2701-0100) to the special litigation reserve fund (028-00-2715-2700) of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2025, shall not exceed \$20,000: *Provided further*; That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 11.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 8(b) of chapter 81 of the 2022 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$12,087,285 to \$12,554,267.

Sec. 12.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Bank commissioner fee fund (094-00-2811)	
For the fiscal year ending June 30, 2024.....	\$0
For the fiscal year ending June 30, 2025.....	\$0
Bank examination and investigation fund (094-00-2013-1010)	
For the fiscal year ending June 30, 2024.....	\$0
For the fiscal year ending June 30, 2025.....	\$0
Consumer education settlement fund (094-00-2560-2500)	

For the fiscal year ending June 30, 2024.....	\$0
For the fiscal year ending June 30, 2025.....	\$0
Litigation expense fund (094-00-2499-2499)	
For the fiscal year ending June 30, 2024.....	\$0
For the fiscal year ending June 30, 2025.....	\$0

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the consumer education settlement fund (094-00-2560-2500).

Sec. 13.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 2(b) of chapter 97 of the 2022 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$180,840 to \$193,348.

Sec. 14.

KANSAS BOARD OF BARBERING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of barbering fee fund (100-00-2704-0100)

For the fiscal year ending June 30, 2024.....	\$197,899
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*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2025.....	\$202,404
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*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2025 for official hospitality shall not exceed \$500.

(b) Notwithstanding the provisions of K.S.A. 65-1817, and amendments thereto, or any other statute, during the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal years 2024 and 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal years 2024 and 2025 to charge and collect a fee for the examination of an applicant to practice barbering in an amount not more than \$150.

Sec. 15.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Behavioral sciences regulatory board fee fund (102-00-2730-0100)

For the fiscal year ending June 30, 2024.....\$1,050,908  
*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000: *Provided further*; That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2024, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2024.

For the fiscal year ending June 30, 2025.....\$1,073,817  
*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000: *Provided further*; That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2025, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2025.

Coronavirus relief fund (102-00-3753)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of any statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal years 2024 and 2025, as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, to adopt or impose, as a condition of obtaining or renewing licenses or permits, any incentives or requirements that applicants for such licensure or permit undergo, demonstrate familiarity with, or support any training, education, or instruction program that includes diversity, equity, inclusion, anti-racism, critical race theory or other related topics: *Provided, however*; That the provisions of this subsection shall not apply to equal opportunity or equal employment opportunity materials designed to inform individuals about the prohibition on discrimination based on protected status under state and federal law.

Sec. 16.

STATE BOARD OF HEALING ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Healing arts fee fund (105-00-2705-0100)

For the fiscal year ending June 30, 2024.....\$7,024,154

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000: *Provided further*; That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2024, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2024.

For the fiscal year ending June 30, 2025.....\$7,184,690

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000: *Provided further*; That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2025, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the

healing arts fee fund for fiscal year 2025.

Medical records maintenance trust fund (105-00-7206-7200)

For the fiscal year ending June 30, 2024.....\$35,000

For the fiscal year ending June 30, 2025.....\$35,000

Sec. 17.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Cosmetology fee fund (149-00-2706-0100)

For the fiscal year ending June 30, 2024.....\$1,234,651

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2025.....\$1,234,928

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$2,000.

Sec. 18.

STATE DEPARTMENT OF CREDIT UNIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit union fee fund (159-00-2026-0100)

For the fiscal year ending June 30, 2024.....\$1,266,485

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2025.....\$1,268,881

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$300.

Sec. 19.

KANSAS DENTAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dental board fee fund (167-00-2708-0100)

For the fiscal year ending June 30, 2024.....\$560,000

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2025.....\$565,000

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund (167-00-2749-2000)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the

budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit  
*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Sec. 20.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mortuary arts fee fund (204-00-2709-0100)  
For the fiscal year ending June 30, 2024.....\$322,934

*Provided*, That expenditures from the mortuary arts fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2025.....\$324,494

*Provided*, That expenditures from the mortuary arts fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.

Sec. 21.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Hearing instrument board fee fund (266-00-2712-9900)  
For the fiscal year ending June 30, 2024.....\$37,695

For the fiscal year ending June 30, 2025.....\$37,695

Hearing instrument litigation fund (266-00-2136-2136)  
For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or

unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit  
*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Sec. 22.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 3(a) of chapter 97 of the 2022 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,084,471 to \$3,328,993.

Sec. 23.

BOARD OF NURSING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Board of nursing fee fund (482-00-2716-0200)
  - For the fiscal year ending June 30, 2024.....\$3,656,524
  - Provided*, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.
  - For the fiscal year ending June 30, 2025.....\$3,597,121
  - Provided*, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.
- Gifts and grants fund (482-00-7346-4000)
  - For the fiscal year ending June 30, 2024.....No limit
  - For the fiscal year ending June 30, 2025.....No limit
- Education conference fund (482-00-2209-0100)
  - For the fiscal year ending June 30, 2024.....No limit
  - For the fiscal year ending June 30, 2025.....No limit
- Criminal background and fingerprinting fund (482-00-2745-2700)
  - For the fiscal year ending June 30, 2024.....No limit
  - For the fiscal year ending June 30, 2025.....No limit

Sec. 24.

BOARD OF EXAMINERS IN OPTOMETRY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry fee fund (488-00-2717-0100)

For the fiscal year ending June 30, 2024.....\$205,758

*Provided*, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$650.

For the fiscal year ending June 30, 2025.....\$227,096

*Provided*, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$650.

Optometry litigation fund (488-00-2547-2547)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Criminal history fingerprinting fund (488-00-2565-2565)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(b) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$93,000 from the optometry litigation fund (488-00-2547-2547) of the board of examiners in optometry to the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry.

Sec. 25.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 4(a) of chapter 97 of the 2022 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the

state board of pharmacy is hereby decreased from \$3,273,406 to \$2,457,604.

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 2022 Supp. 65-16,130, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2023 as authorized by section 18 of chapter 116 or section 21 of chapter 98 of the 2021 Session Laws of Kansas, section 17 of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature for the purposes of enforcing regulations regarding: (1) Dispensing thresholds for telepharmacy outlets; (2) location requirements for telepharmacy outlets that include, but are not limited to, being at least 20 miles from any registered pharmacy or being in a county that contains a city or municipality with a population greater than 50,000 individuals; and (3) filling a prescription and causing the prescription to be delivered for administration to a medical care facility pharmacy, a practitioner or a patient who intends to transport such prescription to a medical care facility, clinic, practitioner's office or pharmacy for administration.

Sec. 26.

STATE BOARD OF PHARMACY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State board of pharmacy fee fund (531-00-2718-0100)

For the fiscal year ending June 30, 2024.....\$3,317,894

*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2025.....\$3,478,845

*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$2,000.

State board of pharmacy litigation fund (531-00-2733-2700)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is

not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Prescription monitoring program fund (531-00-2827-2827)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Non-federal gifts and grants fund (531-00-7018-7000)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2024: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2024 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2025: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2025 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

Strategic prevention framework for prescription

drugs – federal fund (531-00-3284-3284)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Prescription drug overdose data-driven prevention

initiative – federal fund (531-00-3294-3294)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Harold Rogers prescription fund (531-00-3188-3110)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Public health crisis response fund (531-00-3602-3602)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(b) During the fiscal year ending June 30, 2024, the executive secretary of the state

board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund (531-00-2718-0100) to the state board of pharmacy litigation fund (531-00-2733-2700) of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2024, shall not exceed \$50,000: *Provided further*; That the executive secretary of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2025, the executive secretary of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund (531-00-2718-0100) to the state board of pharmacy litigation fund (531-00-2733-2700) of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2025, shall not exceed \$50,000: *Provided further*; That the executive secretary of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(d) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 2022 Supp. 65-16,130, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 or 2025 as authorized this or any other appropriation act of the 2024 or 2025 regular session of the legislature for the purposes of enforcing regulations regarding: (1) Dispensing thresholds for telepharmacy outlets; (2) location requirements for telepharmacy outlets that include, but are not limited to, being at least 20 miles from any registered pharmacy or being in a county that contains a city or municipality with a population greater than 50,000 individuals; and (3) filling a prescription and causing the prescription to be delivered for administration to a medical care facility pharmacy, a practitioner or a patient who intends to transport such prescription to a medical care facility, clinic, practitioner's office or pharmacy for administration.

Sec. 27.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Appraiser fee fund (543-00-2732-0100)	
For the fiscal year ending June 30, 2024.....	\$357,227
<i>Provided</i> , That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.	
For the fiscal year ending June 30, 2025.....	\$362,805
<i>Provided</i> , That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.	
Federal registry clearing fund (543-00-7752-7000)	
For the fiscal year ending June 30, 2024.....	No limit
For the fiscal year ending June 30, 2025.....	No limit
AMC federal registry clearing fund (543-00-7755-7755)	

For the fiscal year ending June 30, 2024.....No limit  
 For the fiscal year ending June 30, 2025.....No limit  
 Special litigation reserve fund (543-00-2698-2698)  
 For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, the executive director of the real estate appraisal board, with the approval of the director of the budget, may transfer moneys from the appraiser fee fund (543-00-2732-0100) of the real estate appraisal board to the special litigation reserve fund (543-00-2698-2698) of the real estate appraisal board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2024, and for the fiscal year ending June 30, 2025, shall not exceed \$20,000: *Provided further*, That the executive director of the real estate appraisal board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) In addition to the other purposes for which expenditures may be made by real estate appraisal board from moneys appropriated from special revenue fund or funds for fiscal years 2023 and 2024 as authorized by section 22 of chapter 98 of the 2021 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in such years to review the practical applications of real estate appraisal program and participate in such program to increase the number of appraisers available in Kansas and include the above agency's participation in the program in a report to the house committee on appropriations, house committee on general government budget and the senate committee on ways and means on or before January 31, 2024.

Sec. 28.

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Real estate fee fund (549-00-2721-0100)

For the fiscal year ending June 30, 2024.....\$1,256,331

*Provided*, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2025.....\$1,272,735

*Provided*, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000.

Real estate recovery revolving fund (549-00-7368-4200)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Background investigation fee fund (549-00-2722-2700)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Special litigation reserve fund (549-00-2821-2821)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2024, and June 30, 2025, the executive director of the Kansas real estate commission, with the approval of the director of the budget, may transfer moneys from the real estate fee fund (549-00-2721-0100) to the special litigation reserve fund of the Kansas real estate commission: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2024, and for the fiscal year ending June 30, 2025, shall not exceed \$20,000: *Provided further*, That the executive director of the Kansas real estate commission shall certify each such transfer

of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 29.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technical professions fee fund (663-00-2729-0100)

For the fiscal year ending June 30, 2024.....\$808,720

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2025.....\$810,850

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$2,000.

Special litigation reserve fund (663-00-2739-0200)

For the fiscal year ending June 30, 2024.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2025.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Sec. 30.

STATE BOARD OF VETERINARY EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Veterinary examiners fee fund (700-00-2727-1100)

For the fiscal year ending June 30, 2024.....\$368,512

*Provided*, That expenditures from the veterinary examiners fee fund for the fiscal

year ending June 30, 2024, for official hospitality shall not exceed \$700.

For the fiscal year ending June 30, 2025.....\$373,203  
*Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$700.  
Sec. 31.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (247-00-1000-0103)  
For the fiscal year ending June 30, 2024.....\$492,389

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

For the fiscal year ending June 30, 2025.....\$492,389  
*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Governmental ethics commission fee fund (247-00-2188-2000)  
For the fiscal year ending June 30, 2024.....No limit  
For the fiscal year ending June 30, 2025.....No limit

(c) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 25-4152, 25-4180, 25-4181, 25-4186, 46-280, 46-288 and 75-3036, and amendments thereto, or any other statute, all moneys received from civil penalties charges and collected by the governmental ethics commission under K.S.A. 25-4152, 25-4180, 25-4181, 25-4186, 46-280 and 46-288, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

Sec. 32.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$752,411 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 22(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account (422-00-1000-0100), the sum of \$67,896 is hereby lapsed.

(b) On the effective date of this act, of the \$4,661,008 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 22(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative research department – operations account (425-00-1000-0103), the sum of \$237,298 is hereby lapsed.

(c) On the effective date of this act, of the \$4,132,662 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 22(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account (579-00-1000-0103), the sum of \$431,521 is hereby lapsed.

Sec. 33.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Legislative coordinating council –  
operations (422-00-1000-0100).....\$758,613

*Provided*, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Legislative research department –  
operations (425-00-1000-0103).....\$5,037,884

*Provided*, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Office of revisor of statutes –  
operations (579-00-1000-0103).....\$4,451,103

*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special  
revenue fund (425-00-2111-2000).....No limit

Legislature employment security fund.....No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$71,000,000 from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$71,000,000 from the legislature employment security fund of the legislative coordinating council to Wichita state university and university of Kansas health collaboration fund of Wichita state university.

Sec. 34.

LEGISLATURE

(a) On the effective date of this act, of the \$17,085,667 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 24(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$2,000,000 is hereby lapsed.

(b) On the effective date of this act, of the \$6,327,654 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 24(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative information system account (428-00-1000-0300), the sum of \$1,512,661 is hereby lapsed.

Sec. 35.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2024, the following:

Operations (including official hospitality) (428-00-1000-0103).....\$19,020,910

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee that are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2024 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2024: *And provided further*, That,

notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information

system (428-00-1000-0300).....\$6,723,214

*Provided*, That any unencumbered balance in the legislative information system account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from this account by the above agency to issue a request for proposal by August 1, 2023, for a constituent relationship management software service to assist in decreasing response time for both staff and constituents, to encrypt data in transit to ensure constituent privacy, track casework through completion, include integrations with existing systems and allow for proactive communication to all Kansas residents using prescriptive demographic information for targeted outreach, engagement and education: *And provided further*, That the above agency shall require any entity making a proposal to provide two or more references from state legislatures that use such services of a similar scope: *And provided further*, That the legislative coordinating council shall review and approve or reject a contract for such services on or before October 1, 2023, with the expectation that the service, if approved, will be implemented on or before December 1, 2023: *Provided, however*, The expenditure for such services shall not exceed \$100,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special

revenue fund (428-00-2260-2200).....No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life

member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*; That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*; That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*; That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*; That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*; That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*; That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2024 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2024: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2024: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2024: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2024.

Capitol restoration – gifts and

donations fund (428-00-7348-7000).....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal

relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol preservation committee, joint committee on child welfare system oversight, joint committee on fiduciary financial institutions oversight and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of creating an interim study committee to take a holistic view of nursing facility reimbursement rate methodology, including cost center caps and an acuity-based add-on.

Sec. 36.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,477,553 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 26(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account (540-00-1000-0100), the sum of \$420,637 is hereby lapsed.

Sec. 37.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,534,391

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 38.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Governor's department (252-00-1000-0503).....\$3,798,984

*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

*Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants (252-00-1000-0600).....\$10,624,075

*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at

the discretion of the governor.

Child advocacy centers (252-00-1000-0610).....\$2,745,827

*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

CASA grant (252-00-1000-0630).....\$595,000

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2024, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2024, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund (252-00-2149).....No limit

*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Conversion of materials and equipment fund (252-00-2409).....No limit

Kansas commission on disability concerns fee fund (252-00-2767).....No limit

Residential substance abuse – federal fund (252-00-3006).....No limit

Arrest grant – federal fund (252-00-3082).....No limit

National criminal history improvement program – federal fund (252-00-3189).....No limit

Violence against women grant – federal fund (252-00-3214).....No limit

Project safe neighborhoods – federal fund (252-00-3217).....	No limit
Coverdell forensic science improvement – federal fund (252-00-3227).....	No limit
Crime victim assistance – federal fund (252-00-3260).....	No limit
Pandemic assistance/vaccine equity fund (252-00-3372).....	No limit
Access visitation grant – federal fund (252-00-3460).....	No limit
Battered women/family violence prevention – federal fund (252-00-3461).....	No limit
Sexual assault services program – federal fund (252-00-3465).....	No limit
Family violence prevention services – ARPA federal fund.....	No limit
Emergency rental assistance – federal fund (252-00-3646).....	No limit
Coronavirus emergency supplemental – federal fund (252-00-3671).....	No limit
Coronavirus relief fund – federal fund (252-00-3753).....	No limit
American rescue plan – state fiscal relief – federal fund (252-00-3756).....	No limit
Edward Byrne justice assistance grants – federal fund (252-00-3757).....	No limit
Prison rape elimination act – federal fund (252-00-3758).....	No limit
Homeowners' assistance – federal fund (252-00-3759).....	No limit
John R Justice grant – federal fund (252-00-3802).....	No limit
Hispanic and Latino American affairs commission – donations fund (252-00-7236).....	No limit
Advisory commission on African-American affairs – donations fund (252-00-7242).....	No limit
White collar crime fund.....	No limit

Sec. 39.

#### ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (082-00-1000-0103).....\$5,363,740

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

*Provided, however,* That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040).....\$78,000

*Provided,* That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$362,410

*Provided,* That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further,* That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400).....\$75,000

Child exchange and visitation centers (082-00-1000-0450).....\$128,000

*Provided,* That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$570,900

Office of inspector general (082-00-1000-0300).....\$982,466

*Provided,* That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029).....No limit

Court cost fund (082-00-2012-2000).....No limit

Bond transcript review fee fund (082-00-2254-2300).....No limit

Conversion of materials and equipment fund (082-00-2405-2040).....No limit

Attorney general's antitrust special revenue fund (082-00-2506-2050).....No limit

Medicaid fraud reimbursement fund (082-00-9034-9040).....No limit

Medicaid fraud control unit (082-00-3060-3080).....No limit

Attorney general's antitrust suspense fund (082-00-9002-9000).....No limit

Attorney general's consumer protection clearing fund (082-00-9003-9010).....No limit

Attorney general's committee on crime prevention fee fund (082-00-2113-2090).....No limit

*Provided,* That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to

conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund (082-00-2613-2080).....No limit

Crime victims

compensation fund (082-00-2563-2060).....No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$536,550: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund (082-00-2598-2070).....No limit

Protection from abuse fund (082-00-2239-2030) .....No limit

Crime victims grants and

gifts fund (082-00-7340-7010).....No limit

*Provided*, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer

intervention program

certification fund (082-00-2103-2103).....No limit

Debt collection administration cost

recovery fund (082-00-2305-2240).....No limit

*Provided*, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution

revolving fund (082-00-2641-2280).....No limit

*Provided*, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 2022 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water

litigation fund (082-00-2311-2295).....No limit

*Provided*, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and

amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....	No limit
Children's advocacy center fund (082-00-2654-2610).....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund (082-00-2482-2500).....	No limit
Concealed weapon licensure fund (082-00-2450-2400).....	No limit
Tobacco master settlement agreement compliance fund (082-00-2383-2320).....	No limit
Sexually violent predator expense fund (082-00-2379-2310).....	No limit
County law enforcement equipment fund (082-00-2470-2470).....	No limit
Child exchange and visiting centers fund (082-00-2579-2250).....	No limit
Roofing contractor registration fund (082-00-2774-2774).....	No limit
State medicaid fraud control unit – federal fund (082-00-3060-3060).....	No limit
Com def sol – violence against women federal fund (082-00-3082-3082).....	No limit
Crime victims compensation federal fund (082-00-3133-3020).....	No limit
Ed Byrne state/local law enforcement federal fund (082-00-3213-3213).....	No limit
Violence against women – ARRA federal fund (082-00-3214-3212).....	No limit
Comm prsct/project safe neighborhood federal fund (082-00-3217-3217).....	No limit
Public safety prtnt/comm pol fund (082-00-3218-3218).....	No limit
Anti-gang initiative federal fund (082-00-3229-3229).....	No limit
Alcohol impaired driving cntnrmsr federal fund (082-00-3247-3247).....	No limit
Children's justice grant federal fund (082-00-3381-3381).....	No limit
Sexual assault kit initiative	

federal fund (082-00-3416-3416).....	No limit
Ed Byrne memorial JAG – ARRA	
federal fund (082-00-3455-3455).....	No limit
Medicaid indirect cost	
federal fund (082-00-3919-3919).....	No limit
Federal forfeiture fund (082-00-3940-3940).....	No limit
SSA fraud prevention	
federal fund (082-00-2174-2175).....	No limit
False claims litigation	
revolving fund (082-00-2650-2600).....	No limit
<i>Provided</i> , That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 75-7501 et seq., and amendments thereto.	
Ed Byrne memorial justice assistance grant	
federal fund (082-00-3057-3057).....	No limit
911 state maintenance fund (082-00-2747-2447).....	No limit
DOT prohibit	
racial profiling (082-00-3566-3566).....	No limit
Human trafficking victim	
assistance fund (082-00-2775-2775).....	No limit
Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open	
government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction	
fee fund (082-00-2085-2100).....	No limit
Bail enforcement agents	
fee fund (082-00-2259-2259).....	No limit
Fraud and abuse criminal	
prosecution fund (082-00-2262-2262).....	No limit
Attorney general's state agency	
representation fund (082-00-6125-6125).....	No limit
State medicaid fraud	
forfeiture fund (082-00-2822-2822).....	No limit
Charitable organizations	
fee fund (082-00-2863-2863).....	No limit
Kansas fights addiction fund (082-00-2826-2826).....	No limit
<i>Provided</i> , That, notwithstanding K.S.A. 2022 Supp. 76-776, and amendments thereto, expenditures shall be made from the Kansas fights addiction fund to include under the Kansas fights addiction act as a qualified applicant, as defined in K.S.A. 2022 Supp. 75-776, and amendments thereto, any for-profit private entity that provides services for the purpose of preventing, reducing, treating or otherwise abating or remediating substance abuse or addiction and that has released its legal claims arising from covered conduct against each defendant that is required by opioid litigation to pay into the fund.	
Municipalities fight	
addiction fund (082-00-2838-2838).....	No limit
Coronavirus relief fund (082-00-3753-3753).....	No limit
(c) During the fiscal year ending June 30, 2024, grants made pursuant to K.S.A. 74-	

7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

(e) Notwithstanding the provisions of any other statute, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from the tobacco master settlement agreement compliance fund (082-00-2383-2320), expenditures may be made by the above agency from such fund for the purposes of performing the powers, duties and functions pursuant to K.S.A. 75-772, and amendments thereto.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund (365-00-7000-2000) to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(g) Notwithstanding the provisions of K.S.A. 75-769, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, to set legal representation charges for state agencies at a rate exceeding \$100 per hour.

(h) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys in the state agency representation fund (082-00-2261-2261) of the attorney general to the attorney general's state agency representation fund (082-00-6125-6125) of the attorney general. On July 1, 2023, all liabilities of state agency representation fund are hereby transferred to and imposed on the attorney general's state agency representation fund and the state agency representation fund is hereby abolished.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys in the private gifts fund (082-00-7300-7000) of the attorney general to the crime victims grants and gifts fund (082-00-7340-7010) of the attorney general. On July 1, 2023, all liabilities of private gifts fund are hereby transferred to and imposed on the crime victims grants and gifts fund, and the private gifts fund is hereby abolished.

Sec. 40.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit  
fee fund (622-00-2225).....No limit

HAVA ELVIS fund (622-00-2353).....	No limit
Conversion of materials and equipment fund (622-00-2418).....	No limit
Information and services fee fund (622-00-2430).....	No limit
<i>Provided</i> , That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.	
State register fee fund (622-00-2619).....	No limit
Uniform commercial code fee fund (622-00-2664).....	No limit
Technology communication fee fund (622-00-2672).....	No limit
Athlete agent registration fee fund (622-00-2674).....	No limit
Democracy fund (622-00-2702).....	No limit
<i>Provided</i> , That all expenditures from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.	
Help America vote act federal fund (622-00-3091).....	No limit
HAVA title I federal fund (622-00-3283).....	No limit
HAVA election security fraud 2018 (622-00-3956).....	No limit
State flag and banner fund (622-00-5130).....	No limit
Secretary of state fee refund fund (622-00-9047).....	No limit
Electronic voting machine examination fund (622-00-9101).....	No limit
Credit card clearing fund (622-00-9434).....	No limit
Suspense fund (622-00-9046).....	No limit
Prepaid services fund (622-00-9114).....	No limit

(b) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2024 by the above agency by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2024 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On or before the 10<sup>th</sup> day of each month commencing July 1, 2023, during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the democracy fund interest earnings based on:

- (1) The average daily balance of moneys in the democracy fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state general fund to the

democracy fund (622-00-2702) of the secretary of state.

Sec. 41.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Water supply storage debt payment for

Milford and Perry reservoirs.....\$52,000,000

*Provided*, That notwithstanding the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or any other statute, the state treasurer shall invest all moneys in the water supply storage debt payment for Milford and Perry reservoirs account in United States treasury bills until the interest rate for such treasury bills is equal to or less than the interest rate for water supply storage debt payments as determined by the state treasurer: *Provided further*; That upon determination of the state treasurer that the United States treasury bill rate is equal to or less than the interest rate on such storage debt, expenditures shall be made by the above agency from the water supply storage debt payment for Milford and Perry reservoirs account during fiscal year 2023 for the payment of water supply storage debt for Milford and Perry reservoirs: *Provided, however*; That, if, during the fiscal year ending June 30, 2023, the director of the Kansas water office certifies to the state treasurer and the governor that there is a need for the Kansas water office to call the water supply storage into service, the state finance council shall authorize the state treasurer to immediately make expenditures from the water supply storage debt payment for Milford and Perry reservoirs account for the payment of water supply storage debt for Milford and Perry reservoirs: *And provided further*; That such state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such authorization also may be given while the legislature is in session: *And provided further*; That at the same time such certification is transmitted to the state treasurer and the governor, the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 42.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Alternatives to abortion program.....\$2,000,000

*Provided*, That expenditures shall be made from the alternatives to abortion program account to establish a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: *Provided further*; That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and

support groups in maternity homes: *And provided further*, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: *And provided further*, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: *And provided further*, That program services shall be available to participants only during pregnancy and continuing for up to 24 months after birth of the child: *And provided further*, That the state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion: *And provided further*, That such contract shall be for a term not longer than one year: *And provided further*, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the alternatives to abortion program: *And provided further*, That the state treasurer shall include as a condition of the contract with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2024, on the administration of the program during fiscal year 2024, including: The number of clients; the number of clients who participated in case management services; the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: *And provided further*, That the state treasurer shall establish the alternatives to abortion public awareness program to be administered by the same nonprofit organization contracted with to provide alternatives to abortion program services: *And provided further*, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion program services: *And provided further*, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available alternatives to abortion program services and nonprofit subcontractors that provide services: *And provided further*, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abortion program services and subcontractors: *And provided further*, That, to the greatest extent possible, the secretary

for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private moneys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the alternatives to abortion program account to be expended for such programs: *Provided, however;* That the alternatives to abortion program and the alternatives to abortion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided,* That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer

operating fund (670-00-2374-2300).....\$1,799,326

*Provided,* That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act during fiscal year 2024, the state treasurer is hereby authorized and directed to credit the first amount equal to the expenditure limitation approved by this or other appropriation act of the legislature received and deposited in the state treasury to the state treasurer operating fund: *Provided further;* Notwithstanding any provision of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, on June 30, 2024, the state treasurer shall certify any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000 to the director of accounts and reports, who shall transfer such certified amount from the state treasurer operating fund to the state general fund on June 30, 2024: *And provided further;* That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2024 shall be credited as prescribed under the uniform unclaimed property act: *And provided further;* That all moneys credited to the state treasurer operating fund during fiscal year 2024 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400).....No limit

Bond services fee fund (670-00-2061-2500).....No limit

City bond finance fund (670-00-7654).....No limit

Local ad valorem tax

reduction fund (670-00-7394-4800).....No limit

County and city revenue	
sharing fund (670-00-7395-4900).....	No limit
Suspense fund (670-00-9054-9000).....	No limit
County and city retailers'	
sales tax fund (670-00-7608-6000).....	No limit
County and city compensating use	
tax fund (670-00-7667-6200).....	No limit
Local alcoholic liquor fund (670-00-7665-6100).....	No limit
Local alcoholic liquor	
equalization fund (670-00-7759-6500).....	No limit
Unclaimed property	
claims fund (670-00-7758-7700).....	No limit
Unclaimed property	
expense fund (670-00-2362-2200).....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient	
guest tax fund (670-00-7602-6600).....	No limit
Racing admissions tax fund (670-00-7670-6300).....	No limit
Rental motor vehicle excise	
tax fund (670-00-7681-6800).....	No limit
Transportation development district	
sales tax fund (670-00-7601-7000).....	No limit
Redevelopment bond fund (670-00-7683-6900).....	No limit
Special qualified industrial	
manufacturer fund (670-00-9525-9525).....	No limit
Kansas postsecondary education savings	
program trust fund (670-00-7241-7100).....	No limit
Kansas postsecondary education savings	
expense fund (670-00-2096-2000).....	No limit
Conversion of materials and	
equipment fund (670-00-2461-2700).....	No limit
Tax increment financing revenue	
replacement fund (670-00-7391-4700).....	No limit
Spirit bonds fund (670-00-9515-9515).....	No limit
<i>Provided</i> , That, on the 15 <sup>th</sup> day of each month that commences during fiscal year 2024, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: <i>Provided further</i> , That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: <i>And provided further</i> , That, on or before the 10 <sup>th</sup> day of each month commencing during fiscal year 2024, the	

director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund (670-00-7684-7680).....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund (670-00-7685-7690).....	\$0
Community improvement district sales tax fund (670-00-7610-7650).....	No limit
Special economic revitalization fund (670-00-9520-9520).....	No limit
Bioscience development and investment fund (670-00-9510-9510).....	No limit
KS ABLE savings expense fund (670-00-2177-2177).....	No limit
STAR bonds food sales tax revenue replacement fund (670-00-2878-2878).....	No limit
Other federal grants fund (670-00-3878-3878).....	No limit
Distinctive license plate royalty fund (670-00-2885-2885).....	No limit
Build Kansas matching grant fund.....	No limit

*Provided*, That during the fiscal year ending June 30, 2024, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas subject to the provisions of these provisos: *Provided further*; That there is hereby established a joint committee on build Kansas within the legislative branch: *And provided further*; That such joint committee shall be composed of five members of the senate and five members of the house of representatives: *And provided further*; That all senate members shall be appointed by the president of the senate: *And provided further*; That all representative members shall be appointed by the speaker of the house of representatives: *And provided further*; That the two major political parties shall have proportional representation on such committee: *And provided further*; That the chairperson of such committee shall be a senate member appointed by the president and the vice chairperson shall be representative member appointed by the speaker of the house of representatives: *And provided further*; That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*; That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*; That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected

with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*, That the state finance council is hereby authorized to stop such expenditures: *And provided further*, That the state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided however*, That if during fiscal year 2024, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*,

That if approved, the director of accounts and reports shall make such transfer: *And provided however*; That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso shall not exceed \$215,000,000: *And provided further*; That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*; That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication.

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000,000 from the state general fund to the build Kansas matching grant fund.

Sec. 43.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

*Provided*, That during the fiscal year ending June 30, 2025, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of these provisos: *Provided, however*; That during the fiscal year ending June 30, 2025, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives and the vice chairperson shall be a senate member appointed by the president of the senate: *Provided further*; That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*; That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*; That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: *And provided further*; That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a

need for such grant: *And provided further*; That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*; That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*; That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*; That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*; That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*; That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*; That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*; That the state finance council is hereby authorized to stop such expenditures: *And provided further*; That the state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*; That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*; That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*; That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to approval by the joint committee on build Kansas: *And provided however*; That if during fiscal year 2025, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*; That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature

is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of section 42 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts, and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2025 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*, That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 44.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2026, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

*Provided*, That during the fiscal year ending June 30, 2026, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2026, the chairperson of such committee shall be a senate member appointed by the president of the senate representatives and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *Provided further*, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And*

*provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*, That the state finance council is hereby authorized to stop such expenditures: *And provided further*, That the state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2026, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to approval by the joint committee on build Kansas: *And provided however*, That if during fiscal year 2026, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the

insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*; That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*; That the state finance council is hereby authorized to approve such transfers: *And provided further*; That if approved, the director of accounts and reports shall make such transfer: *And provided however*; That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 42 and 43 shall not exceed \$215,000,000: *And provided further*; That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*; That expenditures shall be made by the above agency from such fund during fiscal year 2026 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*; That during fiscal year 2026, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district has not less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*; That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*; That on or before the first day of the 2026 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On July 1, 2025, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*; That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 45.

#### STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2026, is hereby reappropriated for fiscal year 2027: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2027, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

*Provided*, That during the fiscal year ending June 30, 2027, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2027, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives and the vice chairperson shall be a senate member appointed by the president of the senate: *Provided further*, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*, That the state finance council is hereby authorized to stop such expenditures: *And provided further*, That the state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That such

matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*; That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*; That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2027, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to approval by the joint committee on build Kansas: *And provided however*; That if during fiscal year 2027, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*; That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*; That the state finance council is hereby authorized to approve such transfers: *And provided further*; That if approved, the director of accounts and reports shall make such transfer: *And provided however*; That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 42, 43 and 44 shall not exceed \$215,000,000: *And provided further*; That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*; That expenditures shall be made by the above agency from such fund during fiscal year 2027 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*; That during fiscal year 2027, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district has not less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*; That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*; That on or before the first day of the 2027 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On July 1, 2026, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*; That if in the aggregate, the amount

transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 46.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2027, is hereby reappropriated for fiscal year 2028: *Provided*, That during the fiscal year ending June 30, 2028, expenditures shall be made by the above agency from the water supply storage debt payment for Milford and Perry reservoirs account for the purpose of the payment of water supply storage debt for Milford and Perry reservoirs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2028, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

*Provided*, That during the fiscal year ending June 30, 2028, no expenditures shall be made from or obligation requested to be incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of section 45(a): *Provided, however*, That during the fiscal year ending June 30, 2028, the chairperson of such committee shall be a senate member appointed by the president of the senate representatives and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further*, That on or before September 30, 2027, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On September 30, 2027, the director of accounts and reports shall transfer all moneys in the build Kansas matching grant fund to the state general fund. On September 30, 2027, all liabilities of the build Kansas matching grant fund are hereby transferred to and imposed on the state general fund and the build Kansas matching grant fund is hereby abolished.

Sec. 47.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service

regulation fund (331-00-2270-2400).....No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500.

Insurance company

examination fund (331-00-2055-2000).....No limit

Insurance company annual statement

examination fund (331-00-2056-2100).....	No limit
Insurance company examiner training fund (331-00-2057-2200).....	No limit
Workers compensation fund (331-00-7354-7000).....	No limit
<i>Provided</i> , That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.	
State firefighters relief fund (331-00-7652-7130).....	No limit
Insurance company tax and fee refund fund (331-00-9017-9100).....	No limit
Group-funded workers' compensation pools fee fund (331-00-7374-7120).....	No limit
Municipal group-funded pools fee fund (331-00-7356-7100).....	No limit
Uninsurable health insurance plan fund (331-00-2328-2500).....	No limit
Private grants and gifts fund (331-00-7301-7301).....	No limit
Insurance education and training fund (331-00-2367-2600).....	No limit
<i>Provided</i> , That expenditures may be made from the insurance education and training fund for training programs and official hospitality: <i>Provided further</i> ; That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: <i>And provided further</i> ; That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: <i>And provided further</i> ; That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.	
Monumental life settlement fund (331-00-7360-7360).....	No limit
<i>Provided</i> , That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: <i>Provided further</i> ; That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.	
Fines and penalties fund (331-00-2351-2510).....	No limit
<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2024 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.	
Settlements fund (331-00-2523-2520).....	No limit
<i>Provided</i> , That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: <i>Provided further</i> ; That expenditures from the settlements fund shall be made for the purpose of providing	

consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Professional employer organization  
fee fund (331-00-2678-2678).....No limit

Pharmacy benefits manager  
licensure fund (331-00-2665-2665).....No limit

Securities act fee fund (331-00-2162-0100).....No limit

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

Investor education and  
protection fund (331-00-2242-2240).....No limit

*Provided*, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$5,000.

Captive insurance regulatory and  
supervision fund (331-00-2309-2309).....No limit

State flexibility to stabilize the market grant  
program fund (331-00-3648-3648).....No limit

Coronavirus relief fund (331-00-3753-3753).....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2024 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2024 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) During the fiscal year ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of K.S.A. 40-103, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal year 2023 or 2024 as authorized by chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature to enhance, support, plan, implement or impose federal market reforms, changes or additions to essential health benefits or consumer protections under part A of title XXVII of the federal public health service act, including, but not limited to, the imposition of new health insurance mandates or consumer benefits on a health plan of any individual, group, governmental agency or entity, whether such health plan is insured or self-insured unless the legislature expressly consents to and approves of such action or actions by an act of the legislature.

Sec. 48.

HEALTH CARE STABILIZATION  
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

- Conference fee fund (270-00-2453-2453).....No limit
- Health care stabilization fund (270-00-7404-2000).....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2024, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

- Operating expenditures (270-00-7404-2100).....No limit

*Provided*, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other

- claims expenses (270-00-7404-2300).....No limit
- Claims and benefits (270-00-7404-2400).....No limit

Sec. 49.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Municipal investment

- pool fund (671-00-7537-7000).....No limit

Pooled money investment portfolio

- fee fund (671-00-2319-2000).....No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending June 30, 2024, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2024, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 50.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund (349-00-2127-2100).....No limit
- Grants and gifts fund (349-00-7326-7000).....No limit

*Provided*, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund (349-00-2297-2000).....No limit  
 Coronavirus relief fund (349-00-3753-3772).....No limit  
 Sec. 51.

STATE BOARD OF INDIGENTS'  
 DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:  
 Assigned counsel expenditures (328-00-1000-0700).....\$1,299,184  
 Sec. 52.

STATE BOARD OF INDIGENTS'  
 DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (328-00-1000-0603).....\$26,151,802

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700).....\$20,672,309

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered: *And provided further*, That, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account for fiscal year 2024 to set the maximum rate of compensation of assigned counsel in fiscal year 2024 at \$120 per hour.

Capital defense operations (328-00-1000-0800).....\$3,854,255

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the capital defense operations account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners (328-00-1000-0500).....\$289,592  
 Indigents' defense

services operations (328-00-1000-0610).....\$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the indigents' defense services operations account is hereby reappropriated for fiscal

year 2024: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510).....\$2,327,691

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training

grant fund (328-00-3211-3211).....No limit

Indigents' defense

services fund (328-00-2119-2000).....No limit

*Provided*, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop

fee fund (328-00-2186-2100).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*; That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2024, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2024 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the state board of indigents' defense services from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this act or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 to classify public defenders based on the level of cases such public defenders are assigned.

(e) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated

from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide a report to the senate committee on ways and means and house committee on appropriations on or before January 1, 2024, regarding: (1) The number of cases handled by assigned counsel; (2) the total number of state attorneys in the agency; (3) the average tenure of such state attorneys over the last five years; (4) the fiscal year 2023 turnover rate; and (5) any other information the above agency deems valuable to evaluate the effectiveness of the salary adjustments implemented over the last two fiscal years.

Sec. 53.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) of the state general fund for fiscal year 2025 to set the maximum rate of compensation of assigned counsel in fiscal year 2025 at \$120 per hour.

Sec. 54.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$17,328,850 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 16(a) of chapter 97 of the 2022 Session Laws of Kansas from the state general fund in the judiciary operations account (677-00-1000), the sum of \$1,944,998 is hereby lapsed.

Sec. 55.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Judiciary operations (677-00-1000).....\$178,722,057

*Provided*, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

*Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*; That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*; That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*; That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Byrne discretionary grants program fund (677-00-3654-3654).....No limit

BJA veterans treatment court discretionary grant program fund (677-00-3922-3922).....	No limit
National crime history improvement program fund (677-00-3189-3189).....	No limit
Library report fee fund (677-00-2106-2000).....	No limit
State and community highway safety – federal fund (677-00-3815-3815).....	No limit
Dispute resolution fund (677-00-2126-3500).....	No limit
Judicial branch education fund (677-00-2324-1900).....	No limit
<i>Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: Provided further, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: And provided further, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: And provided further, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.</i>	
Child welfare federal grant fund (677-00-3942-3300).....	No limit
Child support enforcement contractual agreement fund (677-00-2681-2400).....	No limit
SJI grant fund (677-00-2714-2714).....	No limit
Bar admission fee fund (677-00-2724-2500).....	No limit
Permanent families account – family and children investment fund (677-00-7317-7000).....	No limit
Duplicate law book fund (677-00-2543-2300).....	No limit
Court reporter fund (677-00-2725-2600).....	No limit
Judicial branch nonjudicial salary initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100).....	No limit
District magistrate judge supplemental compensation fund (677-00-2398-2390).....	No limit
Correctional supervision fund (677-00-2465-2465).....	No limit
Violence against women grant fund – ARRA (677-00-3214-3214).....	No limit
Judicial branch docket fee fund (677-00-2158-2158).....	No limit

Electronic filing and management fund (677-00-2791-2791).....	No limit
Coronavirus emergency supplemental fund (677-00-3671-3671).....	No limit
Coronavirus relief fund (677-00-3753).....	No limit
Ed Byrne memorial justice assistance grant fund (677-00-3057).....	No limit
Specialty court resources fund (677-00-2879-2879).....	No limit

Sec. 56.

KANSAS PUBLIC EMPLOYEES  
RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees	
retirement fund (365-00-7002-7000).....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Kansas public employees deferred compensation	
fees fund (365-00-2376).....	No limit
Group insurance reserve fund (365-00-7358-9200).....	No limit
Optional death benefit plan	
reserve fund (365-00-7357-9100).....	No limit
Kansas endowment for	
youth fund (365-00-7000-2000).....	No limit
Senior services trust fund (365-00-7550-7600).....	No limit
Family and children endowment	
account – family and children	
investment fund (365-00-7010-4000).....	No limit
Non-retirement	
administration fund (365-00-2277).....	No limit

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2024, for the following specified purposes:

Agency operations (365-00-7002-7400).....	\$26,196,961
<i>Provided</i> , That expenditures from the agency operations account may be made for official hospitality.	
Investment-related expenses (365-00-7002-8000).....	No limit

(c) On July 1, 2023, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d)(4), and amendments thereto, to be transferred on July 1, 2023, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$57,661,031.

Sec. 57.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2023, by section 45(a) of chapter 81 of the 2022 Session Laws of Kansas on the operating expenditures account (058-00-1000-0103) of the state general fund of the Kansas human rights commission is hereby increased from \$200 to \$400.

Sec. 58.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (058-00-1000-0103).....\$1,074,268

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$500: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the Kansas human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State and local fair employment practices –

federal fund (058-00-3016-3000).....No limit  
Education and training fund (058-00-2282-2000).....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 59.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service

regulation fund (143-00-2019-0100).....No limit  
Gas pipeline inspection  
fee fund (143-00-2023-1100).....No limit  
Conservation fee fund (143-00-2130-2000).....No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells

shall be in addition to any expenditure limitation imposed on this fund: *Provided further*; That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*; That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund (173-00-6105-4010) of the department of administration for services rendered in collection efforts: *And provided further*; That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*; That the state corporation commission shall include as part of the fiscal year 2025 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2024, 2025 and 2026.

Abandoned oil and gas

well fund (143-00-2143-2100).....No limit  
 Natural gas underground storage  
 fee fund (143-00-2181-2120).....No limit

Inservice education workshop

fee fund (143-00-2316-2300).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*; That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Facility conservation improvement

program fund (000-00-2432-2400).....No limit

Energy grants

management fund (000-00-2667).....No limit

Motor carrier license

fees fund (143-00-2812-5500).....No limit

MPG for states and tribes –

federal fund (143-00-3103-3103).....No limit

Energy efficiency revolving loan program –

ARRA federal fund (000-00-3161).....No limit

*Provided*, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*; That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*; That loans under such program shall be made at an interest rate established by the state corporation commission: *And*

*provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons, as may be necessary, to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Special one-call –

federal fund (143-00-3477-3477).....	No limit
Gas pipeline safety program –	
federal fund (143-00-3632-3000).....	No limit
One call – federal fund (143-00-3633-3120).....	No limit
Underground natural gas storage –	
federal fund (143-00-3639-3641).....	No limit
Energy community revitalization –	
federal fund (143-00-3656-3656).....	No limit
Energy conservation plan –	
federal fund (000-00-3682-3500).....	No limit
Underground injection control class II –	
federal fund (143-00-3768-3700).....	No limit
Unified carrier registration	
clearing fund (143-00-9062-9100).....	No limit
Credit card clearing fund (143-00-9401-9400).....	No limit
Suspense fund (143-00-9007-9000).....	No limit

(b) Expenditures for the fiscal year ending June 30, 2024, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2024 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the

state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Expenditures for the fiscal year ending June 30, 2024, by the state corporation commission from the public service regulation fund (143-00-2019-0100) for official hospitality shall not exceed \$2,030.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

Sec. 60.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 47(a) of chapter 81 of the 2022 Session Laws of Kansas on the utility regulatory fee fund (122-00-2030-2000) of the citizens' utility ratepayer board is hereby increased from \$1,197,623 to \$1,372,074.

(b) During the fiscal year ending June 30, 2023, the provisions of section 47(b) of chapter 81 of the 2022 Session Laws of Kansas concerning the utility regulatory fee fund shall apply to the increased expenditure limitation in subsection (a).

Sec. 61.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$1,238,441

(b) During the fiscal year ending June 30, 2024, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2024 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2023 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2023, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2023 may be expended from the utility regulatory fee fund for fiscal year 2024 pursuant to contracts for professional services and any such expenditure for fiscal year 2024 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2024.

Sec. 62.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the gubernatorial transition account (173-00-1000-0620) is hereby lapsed.

(b) On the effective date of this act, the \$15,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the cedar crest transition reimbursement account (173-00-1000-0630) is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Cedar crest living quarters expenses.....\$15,000

(d) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the health benefits administration clearing fund – remit admin service org (173-00-7746-7746) of the department of administration is hereby decreased from \$14,173,400 to \$9,386,000.

(e) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the state workers compensation self-insurance fund (173-00-6170-6170) of the department of administration is hereby increased from \$4,709,909 to \$5,300,179.

(f) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the dependent care assistance program fund (173-00-7740-7799) of the department of administration is hereby decreased from \$257,284 to \$175,000.

(g) On the effective date of this act, the director of accounts and reports shall transfer \$600,000,000 from the state general fund to the budget stabilization fund (173-00-1600-1600): *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state general fund to the budget stabilization fund as prescribed by law.

(h) On the effective date of this act, of the \$325,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(k) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the SIBF – state building insurance account (173-00-8100-8920) the sum of \$112,297 is hereby lapsed.

(i) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Friends of cedar crest endowment fund.....\$0

*Provided*, That on or before the 10<sup>th</sup> day of each month commencing on the effective date of this act, during fiscal year 2023, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of

cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(j) On the effective date of this act, the director of accounts and reports shall transfer \$250,000 from the state general fund to the friends of cedar crest endowment fund.

Sec. 63.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (173-00-1000-0200).....\$4,875,166

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520).....\$1,997,630

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Office of public advocates (173-00-1000-0300).....\$1,032,063

*Provided*, That any unencumbered balance in the office of public advocates account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$88,181,994

Any unencumbered balance in the following accounts as of June 30, 2023, are hereby reappropriated for fiscal year 2024: Long-term care ombudsman (173-00-1000-0580), Docking state office building rehabilitation and repair (173-00-1000-8545), salary adjustments (173-00-1000-0640) and cedar crest living quarters expenses (173-00-1000).

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,109,324

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Department of administration

audit services fund (173-00-2819-2819).....No limit

Budget stabilization fund (173-00-1600-1600).....\$0

Federal cash

management fund (173-00-2001-2200).....No limit

State leave payment  
 reserve fund (173-00-7730-7350).....No limit  
 Building and ground fund (173-00-2028-2000).....No limit  
 General fees fund (173-00-2197-2020).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost  
 recovery fund (173-00-6103-5700).....No limit  
 Budget fees fund (173-00-2191-2100).....No limit

*Provided*, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund (173-00-2017-2130).....No limit

*Provided*, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*; That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services  
 fee fund (173-00-2075-2110).....No limit

*Provided*, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses

incurred for reproducing and distributing architectural information: *And provided further*; That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment

conversion fund (173-00-2434-2090).....No limit

Conversion of materials and

equipment fund (173-00-2408-2030).....No limit

Architectural services equipment

conversion fund (173-00-2401-2170).....No limit

Property contingency fund (173-00-2640-2060).....No limit

Flood control emergency –

federal fund (173-00-3024-3020).....No limit

INK special revenue fund (173-00-2764-2702).....No limit

State buildings

operating fund (173-00-6148-4100).....No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*; That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund (173-00-2028-2000), as determined and directed by the secretary of administration: *And provided further*; That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by K.S.A. 75-37,123(a), and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county, including both state-owned and privately owned buildings: *And provided further*; That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services

recovery fund (173-00-6105-4010).....No limit

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby

authorized to fix, charge and collect fees for services or sales provided by the department of administration that are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services

recovery fund (173-00-6151-5500).....No limit

*Provided*, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020).....No limit

Intragovernmental printing

service fund (173-00-6165-9800).....No limit

Intragovernmental printing service depreciation

reserve fund (173-00-6167-9810).....No limit

Municipal accounting and training services

recovery fund (173-00-2033-1850).....No limit

*Provided*, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants

payment fund (173-00-2645-2070).....No limit

State emergency fund (173-00-2581-2150).....No limit

Bid and contract

deposit fund (173-00-7609-7060).....No limit

Federal withholding tax

clearing fund (173-00-7701-7080).....No limit

Financial management system

development fund (173-00-6135-6130).....No limit

*Provided*, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.	
State gaming revenues fund (173-00-9011-9100).....	No limit
Financial management system development fund – on budget (173-00-2689-2689).....	
	No limit
Construction defects recovery fund (173-00-2632-2615).....	
	No limit
Facilities conservation improvement fund (173-00-8745-4912).....	
	No limit
State revolving fund services fee fund (173-00-2038-2700).....	
	No limit
Conversion of materials and equipment – recycling program fund (173-00-2435-2031).....	
	No limit
Curtis office building maintenance reserve fund (173-00-2010-2190).....	
	No limit
Equipment lease purchase program administration clearing fund (173-00-8701-8000).....	
	No limit
Suspense fund (173-00-9075-9220).....	
	No limit
Electronic funds transfer suspense fund (173-00-9175-9490).....	
	No limit
Surplus property program fund – on budget (173-00-2323-2300).....	
	No limit
Surplus property program fund – off budget (173-00-6150-6150).....	
	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287).....	
	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).....	
	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280).....	
	No limit
CRRSA 2021 LTC ombudsman fund (173-00-3680).....	
	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414).....	
	No limit
Wireless enhanced 911 grant fund (173-00-2577-2570).....	
	No limit
Bioscience development fund (173-00-2765-2703).....	
	No limit
Dwight D Eisenhower statue fund (173-00-7243-7243).....	
	No limit
Digital imaging program fund (173-00-6121-6121).....	
	No limit
<i>Provided</i> , That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.	
Preventive healthcare program fund (173-00-2556-2550).....	
	No limit

Cafeteria benefits fund (173-00-7720-7723).....No limit

State workers compensation  
 self-insurance fund (173-00-6170-6170).....No limit

*Provided*, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2024, for salaries and wages and other operating expenditures shall not exceed \$5,288,131.

Dependent care assistance  
 program fund (173-00-7740-7799).....No limit

*Provided*, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2024, for salaries and wages and other operating expenditures shall not exceed \$175,000.

Non-state employer group  
 benefit fund (173-00-7707-7710).....No limit

Health benefits administration clearing fund –  
 remit admin service org (173-00-7746-7746).....No limit

*Provided*, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2024, for salaries and wages and other operating expenditures shall not exceed \$9,400,000.

Health insurance premium  
 reserve fund (173-00-7350-7350).....No limit

Coronavirus relief fund (173-00-3753).....No limit

Kansas suffragist  
 memorial fund (173-00-7245-7245).....No limit

Kansas gold star families  
 memorial fund (173-00-7244-7244).....No limit

Friends of cedar crest endowment fund.....\$0

*Provided*, That on or before the 10<sup>th</sup> day of each month commencing on July 1, 2023, during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products, which may be purchased by such employees: *Provided, however*; That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided*, That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of

amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further*, That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2023, the director of accounts and reports shall transfer \$210,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2024, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2024 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 75% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2024. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2024 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2024.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in

accordance with the notice thereof.

(i) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2024. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2024 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2024.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) During the fiscal year ending June 30, 2024, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the department of administration to another item of appropriation for fiscal year 2024 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, the following:

SIBF – state

building insurance (173-00-8100-8920).....\$325,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2024, the following:

CIBF – state

building insurance (173-00-8600-8930).....\$550,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(m) On July 1, 2023, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2024 shall be equal to and shall not exceed the older Americans act title VII: ombudsman award and 4.38% of the Kansas older Americans act title III: part B supportive services award.

(n) (1) (A) Prior to August 15, 2023, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2023, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection, the appropriation for fiscal year 2024 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2024, by this or other appropriation act of the 2023 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection.

(2) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the regents agencies for fiscal year 2024.

(3) As used in this subsection, "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, the university of Kansas, the university of Kansas medical center and Wichita state university.

(4) The provisions of this subsection shall not apply to:

(A) Any money held in trust in a trust fund or held in trust in any other special revenue fund or funds of any regents agency;

(B) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection;

(C) any account of the Kansas educational building fund; or

(D) any fund of any regents agency in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(5) Each amount transferred from any special revenue fund of any regents agency to the state general fund pursuant to this subsection is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the regents agency involved by other state agencies that receive appropriations from the state general fund to provide such services.

(o) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget that shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2024. All moneys transferred and credited to the expanded lottery act

revenues fund during fiscal year 2024 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2024.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(q) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2024. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2023 and fiscal year 2024 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2024 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2024.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (r) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(r) (1) On July 1, 2023, the director of accounts and reports shall record a debit to

the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2024, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2024 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2024.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (q) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(s) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the state general fund to the friends of cedar crest endowment fund.

Sec. 64.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Friends of cedar crest endowment fund.....\$0

*Provided*, That on or before the 10<sup>th</sup> day of each month commencing on July 1, 2024, during fiscal year 2025, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on:

(1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 65.

OFFICE OF INFORMATION  
TECHNOLOGY SERVICES

(a) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the

information technology fund (335-00-6110-4030) as authorized by section 50(b) of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency may make expenditures from such moneys in an amount not to exceed \$1,000 for official hospitality.

Sec. 66.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Rehabilitation and repair (335-00-1000-0050).....\$4,250,000

*Provided*, That any unencumbered balance in the rehabilitation and repair account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas information security office (335-00-1000).....\$5,750,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

*Provided*, That expenditures from the information technology fund for official hospitality shall not exceed \$1,000: *Provided further*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund (335-00-6147-4080).....No limit

Public safety broadband services fund (335-00-2125-2125).....No limit

GIS contracting services fund (335-00-2163-2163).....No limit

GIS contracting services fund (335-00-6009-6009).....No limit

State and local implementation grant – federal fund (335-00-3576-3576).....No limit

Coronavirus relief fund (335-00-3753-3772).....No limit

Sec. 67.

KANSAS INFORMATION SECURITY OFFICE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

*Provided*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund (335-00-6147-4080).....No limit

Sec. 68.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings

office fund (178-00-2582).....No limit

*Provided*, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$50.

Sec. 69.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the administrative hearings office fund (178-00-2582) for fiscal year 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2025 for a pay parity adjustment for the administrative law judges.

Sec. 70.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (562-00-1000-0103).....\$44,060

IT modernization.....\$365,000

*Provided*, For the fiscal year ending June 30, 2023, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology modernization projects, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*; That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such information technology modernization project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$365,000 as available from such funds to the special revenue fund of the state board of tax appeals and as designated by the executive director of the state board of tax appeals for the purpose of funding such informational technology modernization: *And provided further*; That on the effective date of such transfer, of the \$365,000 appropriated for the above agency for the fiscal year ending June 30, 2023, in the IT modernization account, the aggregate amount transferred is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative

research.  
Sec. 71.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (562-00-1000-0103).....\$1,019,036

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in the IT modernization account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200).....No limit

BOTA filing fee fund (562-00-2240-2240).....\$1,153,480

Sec. 72.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 57(b) of chapter 81 of the 2022 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby increased from \$51,031,404 to \$51,591,790.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan - state relief (565-00-3756-3536).....\$0

Sec. 73.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (565-00-1000-0303).....\$16,018,235

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund (565-00-2087-2010).....No limit

Division of vehicles

operating fund (565-00-2089-2020).....\$51,998,988

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of

the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2024: *And provided further*; That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers

fee fund (565-00-2189-2030).....No limit

Kansas qualified agricultural ethyl alcohol

producer incentive fund (565-00-2215).....No limit

Division of vehicles

modernization fund (565-00-2390-2390).....No limit

Kansas retail dealer

incentive fund (565-00-2387-2380).....No limit

Conversion of materials and

equipment fund (565-00-2417-2050).....No limit

Forfeited property fee fund (565-00-2428-2200).....No limit

Setoff services revenue fund (565-00-2617-2080).....No limit

Publications fee fund (565-00-2663-2090).....No limit

Child support enforcement contractual

agreement fund (565-00-2683-2110).....No limit

County treasurers' vehicle licensing

fee fund (565-00-2687-2120).....No limit

Tax amnesty recovery fund (565-00-2462-2462).....No limit

Reappraisal

reimbursement fund (565-00-2693-2130).....No limit

*Provided*, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*; That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state board of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund (565-00-2016-2000).....No limit

*Provided*, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*; That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*; That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions

and attorney fees (565-00-2021-2060).....No limit

Commercial vehicle information systems/network

federal fund (565-00-3244-3244).....	No limit
Highway planning construction	
federal fund (565-00-3333-3333).....	No limit
State and community highway	
safety fund (565-00-3815-3815).....	No limit
Microfilming fund (565-00-2281-2270).....	No limit
<i>Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies:</i>	
<i>Provided further, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.</i>	
Miscellaneous trust	
bonds fund (565-00-7556-5180).....	No limit
Liquor excise tax guarantee	
bond fund (565-00-7604-5190).....	No limit
Non-resident contractors cash	
bond fund (565-00-7605-5200).....	No limit
Bond guaranty fund (565-00-7606-5210).....	No limit
Interstate motor fuel user cash	
bond fund (565-00-7616-5220).....	No limit
Motor fuel distributor cash	
bond fund (565-00-7617-5230).....	No limit
Special county mineral production	
tax fund (565-00-7668-5280).....	No limit
County drug tax fund (565-00-7680-5310).....	No limit
Escheat proceeds	
suspense fund (565-00-7753-5290).....	No limit
Privilege tax refund fund (565-00-9031-9300).....	No limit
Suspense fund (565-00-9032-9310).....	No limit
Cigarette tax refund fund (565-00-9033-9330).....	No limit
Motor-vehicle fuel tax	
refund fund (565-00-9035-9350).....	No limit
Cereal malt beverage tax	
refund fund (565-00-9036-9360).....	No limit
Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax	
refund fund (565-00-9040-9390).....	No limit
Alcoholic liquor tax	
refund fund (565-00-9041-9400).....	No limit
Cigarette/tobacco products	
regulation fund (565-00-2294-2190).....	No limit
Motor carrier tax	
refund fund (565-00-9042-9410).....	No limit
Car company tax fund (565-00-9043-9420).....	No limit
Protested motor carrier	
taxes fund (565-00-9044-9430).....	No limit

Tobacco products	
refund fund (565-00-9045-9440).....	No limit
Transient guest tax refund fund (established by	
K.S.A. 12-1694a) (565-00-9066-9450).....	No limit
Interstate motor fuel taxes	
clearing fund (565-00-9070-9710).....	No limit
Motor carrier permits escrow	
clearing fund (565-00-7581-5400).....	No limit
Transient guest tax refund fund (established by	
K.S.A. 12-16,100) (565-00-9074-9480).....	No limit
Interstate motor fuel taxes	
refund fund (565-00-9069-9010).....	No limit
Interfund clearing fund (565-00-9096-9510).....	No limit
Local alcoholic liquor	
clearing fund (565-00-9100-9700).....	No limit
International registration plan distribution	
clearing fund (565-00-9103-9520).....	No limit
Rental motor vehicle excise tax	
refund fund (565-00-9106-9730).....	No limit
International fuel tax agreement	
clearing fund (565-00-9072-9015).....	No limit
Mineral production tax	
refund fund (565-00-9121-9540).....	No limit
Special fuels tax refund fund (565-00-9122-9550).....	No limit
LP-gas motor fuels	
refund fund (565-00-9123-9560).....	No limit
Local alcoholic liquor	
refund fund (565-00-9124-9570).....	No limit
Sales tax clearing fund (565-00-9148-9580).....	No limit
Rental motor vehicle excise tax	
clearing fund (565-00-9187-9640).....	No limit
VIPS/CAMA technology	
hardware fund (565-00-2244-2170).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.</i>	
County and city retailers sales tax clearing fund – county	
and city sales tax (565-00-9190-9610).....	No limit
City and county compensating use tax	
clearing fund (565-00-9191-9620).....	No limit
County and city transient guest tax	
clearing fund (565-00-9192-9630).....	No limit
Automated tax systems fund (565-00-2265-2265).....	No limit
Dyed diesel fuel fee fund (565-00-2286-2280).....	No limit
Electronic databases fee fund (565-00-2287-2180).....	No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund (565-00-2084-2140).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement

refund fund (565-00-9082-9501).....No limit

Distinctive license plate fund (565-00-2232-2230).....No limit

Repossessed certificates of title

fee fund (565-00-2015-2070).....No limit

Hazmat fee fund (565-00-2365-2300).....No limit

Intra-governmental

service fund (565-00-6132-6101).....No limit

Community improvement district sales tax

administration fund (565-00-7675-5300).....No limit

Community improvement district sales tax

refund fund (565-00-9049-9455).....No limit

Community improvement district sales tax

clearing fund (565-00-9189-9655).....No limit

Drivers license first responders indicator

federal fund (565-00-3179-3179).....No limit

Enforcing underage drinking

federal fund (565-00-3219-3219).....No limit

FDA tobacco program

federal fund (565-00-3330-3330).....No limit

Commercial vehicle administrative

system fund (565-00-2098-2098).....No limit

State charitable gaming

regulation fund (565-00-2381-2385).....No limit

Charitable gaming

refund fund (565-00-9001-9001).....No limit

Commercial driver's license drive test

fee fund (565-00-2816-2816).....No limit

MSA compliance fund (565-00-2274-2274).....No limit

Alcoholic beverage control

modernization fund (565-00-2299-2299).....No limit

Native American veterans' income tax refund fund (565-00-9019-9019).....	No limit
Fleet rental vehicle administration fund (565-00-2799-2799).....	No limit
Fleet rental vehicle clearing fund (565-00-9089-9089).....	No limit
Taxpayer notification costs fund (565-00-2852-2852).....	No limit
Kansas historic site fund (565-00-2872-2872).....	No limit
Gage park improvement authority sales tax fund (565-00-2874-2874).....	No limit
Commercial driver education fund (565-00-2876-2876).....	No limit
License plate replacement fund.....	No limit
American rescue plan - state relief (565-00-3756-3536).....	\$0

(c) On July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, the director of accounts and reports shall transfer \$12,636,725 from the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2023, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,240,000 from the Kansas endowment for youth fund (365-00-7000-2000) to the MSA compliance fund (565-00-2274-2274) of the department of revenue.

(g) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for license plate replacement, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such license plate replacements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$9,800,000 as available

from such funds to the special revenue fund of the above agency designated by the secretary of the above agency for the purpose of replacing license plates: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*; That such funds shall be expended for such license plate replacement: *Provided, however*; That if moneys are not available to be transferred from any such special revenue funds to fund such license plate replacement, such license plate replacement shall not be funded pursuant to this subsection.

Sec. 74.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 58(b) of chapter 81 of the 2022 Session Laws of Kansas to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2023, is hereby increased from \$67,990,000 to \$69,490,000.

Sec. 75.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Lottery prize payment fund (450-00-7381).....No limit
- Lottery operating fund (450-00-5123).....No limit
- Provided*, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.
- Expanded lottery receipts fund (450-00-5128).....No limit
- Lottery gaming facility manager fund (450-00-5129-5150).....No limit
- Expanded lottery act revenues fund (450-00-5127-5120).....\$0
- Sports wagering receipts fund (450-00-2946-2946).....No limit
- Privilege fee repayment fund (450-00-2947-2947).....No limit

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2023; and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2023, and on or before the 15<sup>th</sup> of each month thereafter through June 15, 2024: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2024: *Provided, however*; That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection, the executive director of the Kansas lottery shall continue to

certify amounts to the director of accounts and reports on or before the 15<sup>th</sup> of each month through June 15, 2024, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*; That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2024 is equal to or more than \$69,990,000: *And provided further*; That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection shall be equal to or more than \$69,990,000: *And provided further*; That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*; That the transfers prescribed in this subsection shall include the total profit attributed to the special veterans benefit game under K.S.A. 74-8724, and amendments thereto: *And provided further*; That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2024.

(c) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2024, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

(d) Notwithstanding the provisions of K.S.A. 74-8724, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2024: *Provided*, That, the transfer to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office for the fiscal year ending June 30, 2024, authorized by section 83(f) represents the total profits derived from the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto: *Provided further*; That on or before August 1, 2024, the executive director of the lottery shall report the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2024 to the director of the budget and the director of legislative research.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 74-8720, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide the name and address of all persons who claim a Kansas lottery prize of \$10,000 or more to the office of inspector general established under K.S.A. 75-7427, and amendments thereto: *Provided*, That the office of inspector general shall use information received pursuant to this subsection solely for the purposes of carrying out

the powers, duties and functions prescribed by K.S.A. 75-7427, and amendments thereto: *Provided further*, That the office of inspector general shall not publicly disclose the identity of any lottery prize winner, including recipients for whom such prize affects such recipient's eligibility for or receipt of medical assistance.

Sec. 76.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....	No limit
Racing reimbursable expense fund (553-00-2616-2600).....	No limit
Racing applicant deposit fund (553-00-7383-7000).....	No limit
Kansas horse breeding development fund (553-00-2516-2300).....	No limit
Kansas greyhound breeding development fund (553-00-2601-2500).....	No limit
<i>Provided</i> , That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds that win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: <i>Provided further</i> , That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 74-8767(b), and amendments thereto.	
Racing investigative expense fund (553-00-2570-2400).....	No limit
Horse fair racing benefit fund (553-00-2296-3000).....	No limit
Tribal gaming fund (553-00-2320-3700).....	No limit
<i>Provided</i> , That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.	
Expanded lottery regulation fund (553-00-2535).....	No limit
<i>Provided</i> , That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.	
Live horse racing purse supplement fund (553-00-2546-2800).....	No limit
Live greyhound racing purse supplement fund (553-00-2557-2900).....	No limit
Greyhound promotion and development fund (553-00-2561-3100).....	No limit
Gaming background investigation fund (553-00-2682-2680).....	No limit

Gaming machine  
 examination fund (553-00-2998-2990).....No limit  
 Education and training fund (553-00-2459-2450).....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling  
 enforcement fund (553-00-2734-2690).....No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2023, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2024 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2024 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2024, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2024 for the Kansas racing and gaming commission by this or other appropriation act of the 2023 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2024 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the department of commerce that is directed to be made on or before June 30, 2024, by K.S.A. 74-8831(b) (1), and amendments thereto, and shall transfer on or before June 30, 2024, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2024, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

Sec. 77.

#### DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2024, the following:

Advantage Kansas (300-00-1000).....\$126,616

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the advantage Kansas account is hereby reappropriated for fiscal year 2024.

APEX (300-00-1000).....\$6,250,000

Housing revolving loan program (300-00-1000).....\$20,000,000

*Provided*, That any unencumbered balance in the rural housing revolving loan program account (252-00-1000-0640) of the governor's department in excess of \$100 as of June 30, 2023, is hereby reappropriated to the housing revolving loan program account of the above agency for fiscal year 2024: *Provided further*; That expenditures may be made from the housing revolving loan program account to provide loans or grants to communities for moderate-and-low-income housing development, including infrastructure necessary to support that development: *And provided further*; That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from such moneys available in the housing revolving loan program account in an amount of not less than 50% for loans or grants to rural communities.

Airport authority payment.....\$2,950,000

*Provided*, That expenditures shall be made by the above agency from the airport authority payment account for a payment to an airport authority in a Kansas county with a population greater than 40,000 and less than 60,000 as of the 2020 census for the lease or purchase of a building and equipment: *Provided further*; That such airport authority payment shall be for attracting a firm that creates 100 or more jobs and has a payroll of \$15,000,000 or more: *And provided further*; That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the airport authority payment, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*; That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such airport authority payment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$2,950,000 as available from such funds to the special revenue fund of the above agency and as designated by the secretary of commerce for the purpose of funding such airport authority payment: *And provided further*; That on the effective date of such transfer, of the \$2,950,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the airport authority payment account, the aggregate amount transferred is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Any unencumbered balance in the following accounts in excess of \$100 as of June

30, 2023, is hereby reappropriated for fiscal year 2024: KBA grant commitments account; moderate income housing account; and Kansas sesquicentennial commission support account.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Main street program (300-00-1900-1175).....\$836,484

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the main street program account is hereby reappropriated for fiscal year 2024.

Older Kansans

employment program (300-00-1900-1140).....\$504,697

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the older Kansans employment program account is hereby reappropriated for fiscal year 2024.

Rural opportunity

zones program (300-00-1900-1150).....\$1,021,610

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2024.

Senior community service

employment program (300-00-1900-1160).....\$8,071

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the senior community service employment program account is hereby reappropriated for fiscal year 2024.

Strong military

bases program (300-00-1900-1170).....\$200,714

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the strong military bases program account is hereby reappropriated for fiscal year 2024.

Governor's council of

economic advisors (300-00-1900-1185).....\$198,014

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2024.

Creative arts industries

commission (300-00-1900-1188).....\$1,009,403

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the creative arts industries commission account is hereby reappropriated for fiscal year 2024.

Operating grant (including

official hospitality) (300-00-1900-1110).....\$9,205,724

*Provided*, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants (300-00-1900-1190).....	\$500,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the public broadcasting grants account is hereby reappropriated for fiscal year 2024.	
Build up Kansas (300-00-1900-1230).....	\$2,625,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the build up Kansas account is hereby reappropriated for fiscal year 2024.	
Community development (300-00-1900-1240).....	\$660,219
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the community development account is hereby reappropriated for fiscal year 2024.	
International trade (300-00-1900-1250).....	\$1,412,030
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the international trade account is hereby reappropriated for fiscal year 2024.	
Travel and tourism	
operating expenditures (300-00-1900-1901).....	\$4,843,361
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the travel and tourism operating expenditures account is hereby reappropriated for fiscal year 2024: <i>Provided further</i> , That expenditures from this account for official hospitality shall not exceed \$4,000.	
Reemployment implementation (300-00-1900-1260).....	\$96,681
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the reemployment implementation account is hereby reappropriated for fiscal year 2024.	
KIT/KIR programs (300-00-1900-1280).....	\$2,000,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the KIT/KIR programs account is hereby reappropriated for fiscal year 2024.	
Registered apprenticeship (300-00-1900-1290).....	\$1,000,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the registered apprenticeship account is hereby reappropriated for fiscal year 2024.	
Office of broadband development (300-00-1900-1270).....	\$1,015,304
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the office of broadband development account is hereby reappropriated for fiscal year 2024.	
Small business R&D grants (300-00-1900-1300).....	\$1,000,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the small business R&D grants account is hereby reappropriated for fiscal year 2024.	
Work-based learning (300-00-1900-1310).....	\$714,000
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 2023, in the work-based learning account is hereby reappropriated for fiscal year 2024.	
Kansas workforce marketing (300-00-1900).....	\$2,000,000
HEAL grants (300-00-1900).....	\$1,500,000
Emergency HEAL grants (300-00-1900).....	\$500,000
Rural champions (300-00-1900).....	\$150,000
Sunflower summer program.....	\$3,000,000
<i>Provided</i> , That the above agency shall expend moneys in such account to recruit and add new venues geographically located across the state to participate in the program: <i>Provided further</i> , That if a participating venue does not require an admission price or requests a small donation for admission, then the above agency shall reimburse such	

venue \$5 for each program ticket used for admission to such venue.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467).....	No limit
Kan-grow engineering fund – KU (300-00-2494-2494).....	\$3,500,000
Kan-grow engineering fund – KSU (300-00-2494-2495).....	\$3,500,000
Kan-grow engineering fund – WSU (300-00-2494-2496).....	\$3,500,000
Kansas creative arts industries commission special gifts fund (300-00-7004-7004).....	No limit
Governor's council of economic advisors private operations fund (300-00-2761-2701).....	No limit
Publication and other sales fund (300-00-2048).....	No limit
Conversion of equipment and materials fund (300-00-2411-2220).....	No limit
Conference registration and disbursement fund (300-00-2049).....	No limit
Reimbursement and recovery fund (300-00-2275).....	No limit
Community development block grant – federal fund (300-00-3669).....	No limit
National main street center fund (300-00-7325-7000).....	No limit
IMPACT program services fund (300-00-2176).....	No limit
IMPACT program repayment fund (300-00-7388).....	No limit
Kansas partnership fund (300-00-7525-7020).....	No limit
Publication and other sales fund (300-00-2399-2399).....	No limit
<i>Provided</i> , That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2024, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2024: <i>And provided further</i> , That the secretary of commerce shall report all such expenditures to the governor and legislature as appropriate.	
General fees fund (300-00-2310).....	No limit
<i>Provided</i> , That expenditures may be made from the general fees fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.	
Athletic fee fund (300-00-2599-2500).....	No limit
WIOA adult – federal fund (300-00-3270).....	No limit

WIOA youth activities – federal fund (300-00-3039).....	No limit
WIOA dislocated workers – federal fund (300-00-3428).....	No limit
Trade adjustment assistance – federal fund (300-00-3273).....	No limit
Disabled veterans outreach program – federal fund (300-00-3274-3242).....	No limit
Local veterans employment representative program – federal fund (300-00-3274-3240).....	No limit
Wagner Peyser employment services – federal fund (300-00-3275).....	No limit
Senior community service employment program – federal fund (300-00-3100-3510).....	No limit
Indirect cost – federal fund (300-00-2340-2300).....	No limit
Temporary labor certification foreign workers – federal fund (300-00-3448).....	No limit
Work opportunity tax credit – federal fund (300-00-3447-3447).....	No limit
American job link alliance – federal fund (300-00-3100-3516).....	No limit
American job link alliance job corps – federal fund (300-00-3100-3512).....	No limit
Child care/development block grant – federal fund (300-00-3028-3028).....	No limit
Enterprise facilitation fund (300-00-2378-2710).....	No limit
Unemployment insurance – federal fund (300-00-3335).....	No limit
State small business credit initiative – federal fund (300-00-3567).....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund (300-00-3210-3218).....	No limit
Kansas creative arts industries commission checkoff fund (300-00-2031-2031).....	No limit
Workforce data quality initiative – federal fund (300-00-3237-3237).....	No limit
AJLA special revenue fund (300-00-2190-2190).....	No limit
RETAIN extension – federal fund (300-00-3770).....	No limit
Coronavirus relief fund – federal fund (300-00-3753).....	No limit
Workforce innovation – federal fund (300-00-3581).....	No limit
Reemployment connections initiative – federal fund (300-00-3585).....	No limit
SBA STEP grant –	

federal fund (300-00-3573-3573).....	No limit
Apprenticeship USA state –	
federal fund (300-00-3949).....	No limit
Kansas health profession opportunity project –	
federal fund (300-00-3951).....	No limit
Second chance grant –	
federal fund (300-00-3895).....	No limit
H-1B technical skills training grant –	
federal fund (300-00-3400).....	No limit
State broadband data development grant –	
federal fund (300-00-3782-3700).....	No limit
Transition assistance program grant –	
federal fund (300-00-3451-3451).....	No limit
Technology-enabled fiduciary financial	
institutions development and	
expansion fund (300-00-2839).....	No limit
Economic adjustment assistance fund (300-00-3415).....	No limit
Pathway home 2 – federal fund (300-00-3734).....	No limit
Kansas commission for the United States	
semiquincentennial gifts and	
donations fund (300-00-7019).....	No limit
Attracting professional sports to	
Kansas fund (300-00-2942).....	No limit
Attracting powerful economic expansion	
payroll incentive fund (300-00-2943).....	No limit
Attracting powerful economic expansion	
new employee training and	
educaton fund (300-00-2944).....	No limit
Attracting powerful economic expansion Kansas	
residency incentive fund (300-00-2945).....	No limit
ARPA capital projects-broadband	
infrastructure – federal fund (300-00-3761).....	No limit
ARPA capital projects-digital technology	
connectivity – federal fund (300-00-3761).....	No limit
Broadband equity access and deployment	
program fund (300-00-3928-3928).....	No limit
State digital equity planning grant	
program fund (300-00-3927-2927).....	No limit
American rescue plan state relief –	
federal fund (300-00-3756).....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2024, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and

services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2024, in accordance with the provisions of this or other appropriation act of the 2023 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2024 for the department of commerce as authorized by this or other appropriation act of the 2023 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2024 for official hospitality.

(f) During the fiscal year ending June 30, 2024, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2024 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state economic development initiatives fund (300-00-1900-1100).

(h) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 12-17,169, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys for the secretary of commerce to approve a city or county to finance a rural redevelopment project, as defined in K.S.A. 12-17,162, and amendments thereto, without the issuance of special obligation bonds up to an amount not to exceed \$25,000,000 for each such project: *Provided*, That such rural redevelopment project costs shall be made payable, both as to principal and interest, from any source as provided in K.S.A. 12-17,169(a)(1)(A) through (I), and amendments thereto.

(i) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for studio upgrades of a public television broadcasting station in western Kansas in such station's current city, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such studio upgrades, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$2,500,000 as available from such funds to the special revenue fund of the above agency designated by the secretary of commerce for the purpose of funding such studio upgrades: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such studio upgrades: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such studio upgrades shall not be funded pursuant to this subsection: *And provided, however*, That if the board of directors or management of such public television broadcasting station approves a move to a different location or a plan to move to a different location during fiscal year 2024, no moneys shall be transferred pursuant to this subsection.

(j) (1) During the fiscal year ending June 30, 2024, notwithstanding the provisions of the STAR bonds financing act, K.S.A. 12-17,160 through 12-17,180, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures may be made from such moneys for the secretary of commerce to approve a STAR bond project for a major amusement park or historic theater: *Provided*, That such approval shall be upon adoption of a STAR bond project plan and establishment of a STAR bond project district by a city or county for such major amusement park project or historic theater in accordance with K.S.A. 12-17,164 through 12-17,166, and amendments thereto: *Provided further*, That such major amusement park project or historic theater shall be eligible for financing by special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1), and amendments thereto: *And provided further*, That such city or county is authorized to issue such special obligation bonds in one or more series to finance the undertaking of such major amusement park project or historic theater in accordance with the provisions of the STAR bonds financing act: *And provided further*, That the secretary shall review the STAR bond project plan and determine whether to approve such plan in accordance

with K.S.A. 12-17,167, and amendments thereto: *And provided further*, That any special obligation bonds issued to finance the major amusement park project or historic theater shall be subject to the provisions of the STAR bonds financing act: *And provided further*; That such major amusement park costs shall be considered project costs for the purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*; That a major amusement park area shall be considered an eligible area for purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*; That all such property included in, added to or removed from the STAR bond project district established pursuant to this subsection shall be subject to the provisions of the STAR bonds financing act: *And provided further*; That if such major amusement park project or historic theater uses state sales tax financing pursuant to K.S.A. 12-17,169, and amendments thereto, such project shall be subject to the requirements of K.S.A. 12-17,176, and amendments thereto: *And provided further*; That in the event that the city or county shall default in the payment of any STAR bonds payable from revenues described in K.S.A. 12-17,169(a)(1), and amendments thereto, no public funds shall be used to pay the holders thereof except as specifically authorized by the STAR bonds financing act: *And provided further*; That copies of all retailers' sales, use and transient guest tax returns filed with the secretary of revenue in connection with such major amusement park project shall be subject to the provisions of K.S.A. 12-17,174, and amendments thereto.

(2) For purposes of this subsection:

(A) "Amusement rides" means the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further include buildings necessary to house and operate such amusement park ride.

(B) "Major amusement park" means a project with amusement rides and upon which the secretary has made a finding that capital improvements of not less than \$100,000,000 will be built in the state to construct the major amusement park.

(C) "Major amusement park area" means an area containing a major amusement park.

Sec. 78.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

Sunflower summer program.....\$3,000,000

*Provided*, That the above agency shall expend moneys in such account to recruit and add new venues geographically located across the state to participate in the program: *Provided further*; That if a participating venue does not require an admission price or requests a small donation for admission, then the above agency shall reimburse such venue \$5 for each program ticket used for admission to such venue.

Sec. 79.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000).....No limit

*Provided*, That all expenditures from the state housing trust fund shall be made by the

Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 80.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Unemployment insurance modernization (296-00-1000-0520).....\$20,500,000

Provided, For the fiscal year ending June 30, 2023, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for unemployment insurance modernization projects, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such unemployment insurance modernization project in addition to the federal funds currently encumbered for such project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$20,500,000 as available from such funds to the special revenue fund of the department of labor and as designated by the secretary of labor for the purpose of funding such unemployment insurance modernization: *And provided further*, That on the effective date of such transfer, of the \$20,500,000 appropriated for the above agency for the fiscal year ending June 30, 2023, in the unemployment insurance modernization account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000).....\$792,000

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 64(b) of chapter 81 of the 2022 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2220) of the department of labor is hereby decreased from \$13,263,070 to \$12,067,209.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 145(c) of chapter 81 of the 2022 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124) of the department of labor for capital improvement purposes is hereby decreased from \$1,555,000 to \$528,000.

Sec. 81.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (296-00-1000-0503).....\$3,697,469

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2024, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-2218 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

Amusement ride safety (296-00-1000-0513).....\$270,730

*Provided*, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in the unemployment insurance modernization account (264-00-1000-0520) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation  
fee fund (296-00-2124-2220).....\$12,321,935

Occupational health and safety –  
federal fund (296-00-3339-3210).....No limit

Employment security interest  
assessment fund (296-00-2771-2700).....No limit

Special employment  
security fund (296-00-2120-2000).....No limit

Employment security  
administration fund (296-00-3335).....No limit

*Provided*, That in addition to the other purposes for which expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2024 from moneys made available to the state under section 903 of the federal social security act for the purpose of unemployment insurance modernization: *Provided further*, That expenditures from such fund for fiscal year 2024 of moneys made available to the state under section 903 of the federal social security act for such unemployment insurance modernization purposes shall not exceed \$4,821,302: *And provided further*, That all expenditures from the employment security administration fund for any such unemployment insurance modernization purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2024.

Wage claims assignment

fee fund (296-00-2204-2240).....	No limit
Department of labor special	
projects fund (296-00-2041-2105).....	No limit
Federal indirect cost	
offset fund (296-00-2302-2280).....	No limit
<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 44 - 716a, and amendments thereto, or any other statute to the contrary, during fiscal year 2024, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: <i>Provided further</i> , That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.	
Employment security fund (296-00-7056-7200).....	No limit
Labor force statistics	
federal fund (296-00-3742-3742).....	No limit
Compensation and working conditions	
federal fund (296-00-3743-3743).....	No limit
Employment services Wagner-Peyser funded	
activities federal fund (296-00-3275-3275).....	No limit
Dispute resolution fund (296-00-2587-2270).....	No limit
<i>Provided</i> , That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: <i>Provided further</i> , That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.	
Indirect cost fund (296-00-2781-2781).....	No limit
Workforce data quality initiative –	
federal fund (296-00-3237-3237).....	No limit
Employment security fund	
clearing account (296-00-7055-7100).....	No limit
Employment security fund	
benefit account (296-00-7054-7000).....	No limit
Employment security fund – special	
suspense account (296-00-7057-7300).....	No limit
Employment security fund	
trust account (296-00-7056-7200).....	No limit
Special wage payment clearing	
trust fund (296-00-7362-7500).....	No limit
Economic adjustment assistance –	
federal fund (296-00-3415-3415).....	No limit
Social security administration disability –	
federal fund (296-00-3309-3309).....	No limit

Amusement ride safety fund (296-00-2224-2250).....	No limit
KDOL off-budget fund (296-00-6112-6100).....	No limit
SNAP employment and training pilot – federal fund (296-00-3321-3350).....	No limit
Anti-human trafficking – federal fund (296-00-3644-3644).....	No limit
Coronavirus relief fund (296-00-3753).....	No limit
American rescue plan state relief fund (296-00-3756-3536).....	No limit

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$64,050
Operating expenditures – Kansas veterans' home (694-00-1000-0503).....	\$500,000
Veterans claim assistance program – service grants (694-00-1000-0903).....	\$150,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project of projects specified, the following:

Northeast Kansas veterans' home (694-00-8100).....	\$849,167
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(c) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2023, by section 199(a) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the Halsey hall kitchen account (694-00-8100-8281), the sum of \$297,018 is hereby lapsed.

Sec. 82.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$1,085,340
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*Provided*, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures – veteran services (694-00-1000-0203).....	\$1,606,833
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*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,500.

Operations – state veterans cemeteries (694-00-1000-0703).....	\$625,608
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*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operating expenditures – Kansas

soldiers' home (694-00-1000-0403).....\$4,530,709  
*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures – Kansas  
 veterans' home (694-00-1000-0503).....\$4,612,149

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Veterans claim assistance program –  
 service grants (694-00-1000-0903).....\$850,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits; *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....	No limit
Soldiers' home benefit fund (694-00-7903-5400).....	No limit
Soldiers' home work therapy fund (694-00-7951-5600).....	No limit
Soldiers' home medicare fund (694-00-3168-3100).....	No limit
Soldiers' home medicaid fund (694-00-2464-2464).....	No limit
Veterans' home medicare fund (694-00-3893-3893).....	No limit
Veterans' home medicaid fund (694-00-2469-2469).....	No limit
Veterans' home fee fund (694-00-2236-2200).....	No limit
Veterans' home canteen fund (694-00-7809-5300).....	No limit
Veterans' home benefit fund (694-00-7904-5500).....	No limit
Soldiers' home outpatient clinic fund (694-00-2258-2300).....	No limit
State veterans cemeteries fee fund (694-00-2332-2600).....	No limit
State veterans cemeteries donations and contributions fund (694-00-7308-5200).....	No limit
Outpatient clinic patient federal reimbursement	

fund – federal (694-00-3205-3300).....	No limit
VA burial reimbursement	
fund – federal (694-00-3212-3310).....	No limit
Federal domiciliary per diem fund (694-00-3220).....	No limit
Federal long term care	
per diem fund (694-00-3232).....	No limit
Commission on veterans affairs	
federal fund (694-00-3241-3340).....	No limit
American rescue plan state	
relief fund (694-00-3756-3536).....	No limit
Kansas veterans	
memorials fund (694-00-7332-5210).....	No limit
Vietnam war era veterans' recognition	
award fund (694-00-7017-7000).....	No limit
Kansas hometown	
heroes fund (694-00-7003-7001).....	No limit
Persian gulf war veterans health	
initiatives fund (694-00-2304-2500).....	No limit
Construction state home	
facilities fund (694-00-3018-3000).....	No limit
State cemetery grants fund (694-00-3048).....	No limit
Kansas soldier home construction	
grant fund (694-00-3075).....	No limit
Winfield veterans home acquisition	
construction fund (694-00-8806-8200).....	No limit
Coronavirus relief fund (694-00-3753).....	No limit
CARES provider relief fund (694-00-3754).....	No limit
Veterans benefit lottery	
game fund (694-00-2303).....	No limit

*Provided*, That expenditures from the veterans benefit lottery game fund shall be in an amount equal to 50% for operating expenditures and capital improvements of the above agency, or for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; and 50% for the veterans enhanced service delivery program.

(c) (1) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 73-1231, 73-1233, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen

fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2024, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2024 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2024, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,000 from the lottery operating fund (450-00-5123-5100) of the Kansas lottery to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office.

Sec. 84.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (264-00-1000-0202).....\$5,665,494

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures (including official hospitality) – health (264-00-1000-0270).....\$4,433,530

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Vaccine purchases (264-00-1000-0900).....\$329,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Aid to local units (264-00-1000-0350).....\$7,405,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That, except as provided in subsection (k), all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects (264-00-1000-0460).....\$15,750,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs: *And provided further*; That funded clinics shall be not-for-profit or publicly funded primary care clinics or dental clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care or dental services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay and have a unique patient panel that, at a minimum, represents the income-based disparities of the community: *And provided further*; That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*; That of the moneys appropriated in the aid to local units – primary health projects account, not less than \$15,750,690 shall be distributed for community-based primary care grants and services provided by the community care network of Kansas.

Infant and toddler program (264-00-1000-0570).....\$7,500,000

*Provided*, That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from the infant and toddler program account in the amount of \$7,500,000 for the purposes of aid to local units and other assistance: *And provided further*; That such moneys shall not be expended for administrative costs incurred by the above agency: *And provided further*; That expenditures of at least \$1,500,000 shall be made from such account to provide early childhood vision services for children served by the Kansas state school for the blind.

Aid to local units – women’s wellness (264-00-1000-0610).....\$444,296

*Provided*, That any unencumbered balance in the aid to local units – women’s wellness account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all expenditures from the aid to local units – women’s wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Breast cancer

screening program (264-00-1000-1300).....\$1,219,336

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Pregnancy maintenance

initiative (264-00-1000-1100).....\$677,692

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Cerebral palsy

posture seating (264-00-1000-1500).....\$303,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures may be made by the above agency from the cerebral palsy posture seating account for posture seating for adults.

PKU treatment (264-00-1000-1710).....\$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Teen pregnancy

prevention activities (264-00-1000-0650).....\$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

State trauma fund (264-00-1000-1720).....\$300,000

*Provided*, That any unencumbered balance in the state trauma fund in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

*Provided*, That any unencumbered balance in the lyme disease prevention and research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Child abuse review

and evaluation (264-00-1000-1550).....\$758,317

*Provided*, That any unencumbered balance in the child abuse review and evaluation account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures shall be made from the child abuse review and evaluation program account to train healthcare providers to recognize signs of child abuse and reimburse reviews and examinations conducted by such trained healthcare providers: *And provided further*; That on or before January 8, 2024, the above agency shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on services provided and the location of services provided by the program.

Childcare pilot (264-00-1000).....\$2,500,000

*Provided*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any

federal law that appropriates moneys to the state that are eligible to be used for such childcare pilot program, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, are unencumbered: *Provided further*; That of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state are available during fiscal year 2024 to be used for such childcare pilot program, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$2,500,000 as available from such funds to the special revenue fund of the above agency as designated by the secretary of health and environment for the purpose of funding such childcare pilot program: *And provided further*; That on the effective date of such transfer, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the childcare pilot account, the aggregate amount transferred is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Tobacco cessation program.....\$938,756  
 Specialty health care access programs (264-00-1000-1450).....\$500,000

*Provided*, That any unencumbered balance in the specialty health care access programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures shall be made from the specialty health care access programs account of \$250,000 each to the project access of Wichita program and the Wy Jo care of Wyandotte and Johnson counties program.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disease control and prevention investigations  
 and technical assistance –  
 federal fund (264-00-3150).....No limit  
 Health and environment training  
 fee fund – health (264-00-2183-2160).....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*; That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such

seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2024, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2024 for agency operations for the division of public health.

Health facilities review fund (264-00-2505-2250).....	No limit
Insurance statistical plan fund (264-00-2243-2840).....	No limit
Health and environment publication fee fund – health (264-00-2541-2190).....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
District coroners fund (264-00-2653-2320).....	No limit
Sponsored project overhead fund – health (264-00-2912-2710).....	No limit
Tuberculosis elimination and laboratory – federal fund (264-00-3559-3559).....	No limit
Maternity centers and child care facilities licensing fee fund (264-00-2731-2731).....	No limit
Child care and development block grant – federal fund (264-00-3028-3450).....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund (264-00-3574-3574).....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund (264-00-3575-3575).....	No limit
Office of rural health – federal fund (264-00-3031-3640).....	No limit
Emergency medical services for children – federal fund (264-00-3292-3292).....	No limit
Primary care offices – federal fund (264-00-3293-3293).....	No limit
Injury intervention – federal fund (264-00-3294-3294).....	No limit
Oral health workforce activities – federal fund (264-00-3297-3297).....	No limit
Rural hospital flex program – federal fund (264-00-3298-3298).....	No limit
Hospital bioterrorism preparedness – federal fund (264-00-3398-3398).....	No limit
Kansas coalition against sexual and domestic violence –	

federal fund (264-00-3907-3907).....	No limit
ARRA collaborative component I –	
federal fund (264-00-3890-3891).....	No limit
ARRA collaborative component III –	
federal fund (264-00-3890-3892).....	No limit
ARRA ambulatory surgical center ASC/HAI medicare –	
federal fund (264-00-3486-3486).....	No limit
Medicare – federal fund (264-00-3064-3062).....	No limit
<i>Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2024 pursuant to a contract, which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.</i>	
Migrant health program –	
federal fund (264-00-3069-3070).....	No limit
Tuberculosis prevention –	
federal fund (264-00-3071-4610).....	No limit
Strengthen public health immunization infrastructure –	
federal fund (264-00-3568-3568).....	No limit
Healthy homes and lead poisoning prevention –	
federal fund (264-00-3572-3572).....	No limit
Children's mercy hospital lead program –	
federal fund (264-00-3152-3154).....	No limit
Women, infants and children health program –	
federal fund (264-00-3077-3103).....	No limit
Immunization and vaccines for children grants –	
federal fund (264-00-3747-3741).....	No limit
Home visiting grant –	
federal fund (264-00-3503-3503).....	No limit
Preventive health block grant –	
federal fund (264-00-3614-3200).....	No limit
Maternal and child health block grant –	
federal fund (264-00-3616-3210).....	No limit
National center for health statistics –	
federal fund (264-00-3617-3220).....	No limit
Title X family planning services program –	
federal fund (264-00-3622-3271).....	No limit
Comprehensive STD prevention systems –	
federal fund (264-00-3070-3080).....	No limit
Make a difference information network –	
federal fund (264-00-3234-3234).....	No limit
Ryan White title II –	
federal fund (264-00-3328-3310).....	No limit
Bicycle helmet distribution –	
federal fund (264-00-3815-3815).....	No limit
Bicycle helmet revolving fund (264-00-2575-2630).....	No limit
SSA fee fund (264-00-2269-2030).....	No limit
Childhood lead poisoning prevention program –	

federal fund (264-00-3296-3296).....	No limit
State implementation projects for prevention of secondary conditions –	
federal fund (264-00-3087-4405).....	No limit
Title IV-E – federal fund (264-00-3326-3900).....	No limit
HIV prevention projects –	
federal fund (264-00-3740-3521).....	No limit
HIV/AIDS surveillance –	
federal fund (264-00-3399-3399).....	No limit
Infants & toddlers Prt C –	
federal fund (264-00-3516-3171).....	No limit
Universal newborn hearing screening –	
federal fund (264-00-3459-3459).....	No limit
State loan repayment program –	
federal fund (264-00-3760-3755).....	No limit
Opt-out testing initiative –	
federal fund (264-00-3801-3801).....	No limit
Adult lead surveillance data –	
federal fund (264-00-3496-3496).....	No limit
Medical reserve corps contract –	
federal fund (264-00-3502-3502).....	No limit
Trauma fund (264-00-2513-2230).....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2024 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: <i>Provided further</i> ; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security –	
federal fund (264-00-3329-3319).....	No limit
Refugee assistance –	
federal fund (264-00-3378-3345).....	No limit
Personal responsibility education program –	
federal fund (264-00-3494-3494).....	No limit
Kansas vital records for quality improvement –	
federal fund (264-00-3098-3098).....	No limit
Kansas early detection works breast & cervical cancer screening services –	
federal fund (264-00-3099-3099).....	No limit
Kansas public health approaches for ensuring quitline capacity –	
federal fund (264-00-3097-3097).....	No limit
Diagnostic x-ray program –	
federal fund (264-00-3511-3160).....	No limit
HRSA small hospital improvement grant program –	
federal fund (264-00-3371-3371).....	No limit
State indoor radon grant –	
federal fund (264-00-3884-3930).....	No limit

Gifts, grants and donations	
fund – health (264-00-7311-7090).....	No limit
Special bequest fund – health (264-00-7366-7050).....	No limit
Civil registration and health statistics	
fee fund (264-00-2291-2295).....	No limit
Power generating facility	
fee fund (264-00-2131-2130).....	No limit
Nuclear safety emergency preparedness special	
revenue fund (264-00-2415-2280).....	No limit
<i>Provided</i> , That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund (034-00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: <i>Provided further</i> ; That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.	
Radiation control operations	
fee fund (264-00-2531-2530).....	No limit
<i>Provided</i> , That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.	
Strengthening public health infrastructure –	
federal fund (264-00-3547-3547).....	No limit
Improving minority health –	
federal fund (264-00-3548-3548).....	No limit
Abstinence education –	
federal fund (264-00-3549-3549).....	No limit
Affordable care act – federal fund (264-00-3546-3546).....	No limit
Carbon monoxide detector/fire injury prevention –	
federal fund (264-00-3508-3508).....	No limit
Health information exchange –	
federal fund (264-00-3493-3493).....	No limit
Kansas newborn	
screening fund (264-00-2027-2027).....	No limit
Actions to prevent and control diabetes,	
heart disease, and obesity –	
federal fund (264-00-3749-3742).....	No limit
Healthy start initiative –	
federal fund (264-00-3751-3751).....	No limit
Immunization capacity building assistance –	
federal fund (264-00-3744-3744).....	No limit
Hospital preparedness and response program for Ebola –	
federal fund (264-00-3033-3033).....	No limit
CDC multipurpose grant	
federal fund (264-00-3243-3243).....	No limit
Kansas newborn screening information system	
maintenance and enhancement	
federal fund (264-00-3612-3612).....	No limit

Lifting young families toward excellence federal fund (264-00-3627-3627).....	No limit
Cancer registry federal fund (264-00-3008-3040).....	No limit
Hospital preparedness Ebola – federal fund (264-00-3093-3093).....	No limit
Kansas survivor care quality initiative – federal fund (264-00-3101-3610).....	No limit
Zika birth defects surveillance & referral – federal fund (264-00-3102-3620).....	No limit
IDEA infant toddler-part C-ARRA – federal fund (264-00-3282-3282).....	No limit
SAMHSA project launch intv. – federal fund (264-00-3284-3284).....	No limit
Immunization grant – federal fund (264-00-3372-3150).....	No limit
Small hospital improvement program – federal fund (264-00-3392-3392).....	No limit
Cardiovascular health program – federal fund (264-00-3401-3407).....	No limit
Kansas senior farmers market nutrition program – federal fund (264-00-3406-3406).....	No limit
Lead poisoning preventive health – federal fund (264-00-3626-4132).....	No limit
ARRA – WIC grants to states – federal fund (264-00-3750-3750).....	No limit
Census of trauma occp fatal. – federal fund (264-00-3797-3670).....	No limit
Homeland security grant-KHP – federal fund (264-00-3199-3199).....	No limit
Refugee health – federal fund (264-00-3393-3393).....	No limit
ARRA – migrant – federal fund (264-00-3396-3396).....	No limit
ARRA – transfer from SRS – federal fund (264-00-3471-3471).....	No limit
Public health crisis response – federal fund (264-00-3602-3602).....	No limit
Diabetes & heart disease & stroke prevention programs – federal fund (264-00-3603-3603).....	No limit
Innovative state & local public health strategies to prevent & manage diabetes and heart disease and stroke – federal fund (264-00-3604-3604).....	No limit
Kansas actions to improve oral health outcomes – federal fund (264-00-3921-3921).....	No limit
ARRA – survey, licensure and epidemiology – federal fund (264-00-3746-3746).....	No limit

Campus sexual assault prevention grant – federal fund (264-00-3035-3035).....	No limit
Alzheimer's association inclusion – federal fund (264-00-3607-3607).....	No limit
ESSA preschool development grants birth through five – federal fund (264-00-3608-3608).....	No limit
Preventing maternal deaths – federal fund (264-00-3896-3896).....	No limit
Right-to-know fee fund (264-00-2325-2325).....	No limit
Child care criminal background and fingerprint fund (264-00-2313-2313).....	No limit
Kansas tobacco control program – federal fund (264-00-3598-3598).....	No limit
Colorectal cancer screening – federal fund (264-00-3599-3599).....	No limit
Arthritis evidence based interventions – federal fund (264-00-3755-3756).....	No limit
Coronavirus relief fund (264-00-3753-3753).....	No limit
Rural hospital innovation grant fund (264-00-2871-2871).....	No limit
American rescue plan state relief fund (264-00-3756-3536).....	No limit
Community health workers for COVID response and resilient communities fund (264-00-3832-3832).....	No limit
Maternal deaths due to violence fund (264-00-3724-3724).....	No limit
SHIP COVID testing and mitigation fund (264-00-3651-3651).....	No limit
Adult viral hepatitis prevention and control fund (264-00-3641-3641).....	No limit
COVID 19 health disparities fund (264-00-3683-3683).....	No limit
Kansas environmental health capacity program fund (264-00-3660-3660).....	No limit
HIV care formula grant federal fund (264-00-3328-3311).....	No limit
Drug endangered children in Kansas fund (264-00-3657-3657).....	No limit
Strengthening U.S. public health fund (264-00-3926-3926).....	No limit
Expanding COVID-19 vaccination fund (264-00-3931-3931).....	No limit

(c) On July 1, 2023, and on other occasions during fiscal year 2024, when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and

environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) During the fiscal year ending June 30, 2024, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(f) During the fiscal year ending June 30, 2024, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund (264-00-2653-2320) of the department of health and environment – division of public health for fiscal year 2024 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2023, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et

seq., and amendments thereto.

(i) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2024, the following:

Healthy start (264-00-2000-2105).....\$1,652,876

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Infants and toddlers program (264-00-2000-2107).....\$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Smoking prevention (264-00-2000-2109).....\$1,001,960

*Provided*, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

SIDS network grant (264-00-2000-2115).....\$122,106

*Provided*, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2024 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

(k) Notwithstanding the provisions of K.S.A. 65-242, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to distribute to each local health department an amount not less than \$12,000 upon application therefor in accordance with K.S.A. 65-242, and amendments thereto: *Provided*, That any remaining moneys appropriated for such purpose, if any, after making distributions in accordance with this subsection shall be distributed in accordance with K.S.A. 65-242, and amendments thereto: *Provided, however*, That, if sufficient funds are not available to make a minimum distribution of \$12,000, then the provisions of K.S.A. 65-242, and amendments thereto, shall control.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys that are identified as moneys from the federal government for coronavirus relief aid to the state of Kansas and appropriated in any special revenue fund or funds for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from such special revenue

fund or funds for fiscal year 2024 to reimburse for testing certified testing laboratories that have entered into an agreement with the above agency and are providing community COVID-19 testing to the general public.

Sec. 85.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Health policy operating expenditures (264-00-1000-0010).....\$249,455

(b) On the effective date of this act, of the \$692,680,872 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 70(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$158,782,182 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 70(b) of chapter 81 of the 2022 Session Laws of Kansas on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby increased from \$126,123,554 to \$135,923,554.

Sec. 86.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (264-00-1000-0010).....\$23,262,331

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Children's health insurance program (264-00-1000-0060).....\$51,836,512

*Provided*, That any unencumbered balance in the children's health insurance program in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Other medical assistance (264-00-1000-3026).....\$700,032,680

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2024.

Wichita center for graduate medical education (264-00-1000-3027).....\$2,950,000

*Provided*, That any unencumbered balance in the Wichita center for graduate medical

education account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Graduated medical education (264-00-1000-3028).....\$1,300,000

*Provided*, That any unencumbered balance in the graduated medical education account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Special enhanced FMAP (264-00-1000-0449).....\$4,000,000

*Provided*, That any unencumbered balance in the special enhanced FMAP account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Division of health care finance special revenue fund (264-00-2360-2350).....No limit

*Provided*, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000.

Health committee insurance fund (264-00-2569-2500).....No limit

Health care database fee fund (264-00-2578-2570).....No limit

Association assistance plan fund (264-00-2391-2391).....No limit

Medical programs fee fund (264-00-2395-0110).....\$126,123,554

Medical assistance fee fund (264-00-2185-2185).....No limit

Other state fees fund (264-00-2440-0100).....No limit

Health care access improvement fund (264-00-2443-2215).....No limit

Children's health insurance program federal fund (264-00-3424-0540).....No limit

State planning – health care – uninsured fund (264-00-3483-3483).....No limit

HIV care formula grant federal fund (264-00-3328-3311).....No limit

Medical assistance program federal fund (264-00-3414-0440).....No limit

Quality based community assessment fund (264-00-2760-2760).....No limit

KEES interagency transfer fund (264-00-6001-6001).....No limit

Energy assistance block grant (264-00-3305-3305).....No limit

Temporary assistance for needy families (264-00-3323-3530).....No limit

Title IV-E – adoption assistance (264-00-3357-3357).....No limit

Ryan White title II –

federal fund (264-00-3328-3310).....No limit

(c) During the fiscal year ending June 30, 2024, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2024, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person's client obligation at an amount equal to 300% of federal supplemental security income for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act and any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services.

(e) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement analytical and publicly available reporting that is compliant with the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191), and any federal regulations adopted thereunder, to measure outcomes and effectiveness of the health homes program known as onecare Kansas and to assist providers with the provisions of the health homes program.

(f) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit to the United States centers for medicare and medicaid services a waiver request to allow for medicaid reimbursement for inpatient psychiatric acute care.

(g) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 38-2001, and amendments thereto, or any other statute to the contrary, in

addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency to provide coverage under the state children's health insurance program for children residing in a household that has a gross household income not to exceed 250% of the federal poverty guidelines.

Sec. 87.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official  
hospitality) (264-00-1000-0300).....\$4,084,972  
*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Lab equipment replacement (264-00-1000).....\$280,000  
 Any unencumbered balance in the KDHE lab account (264-00-1000-8750) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation  
fee fund (264-00-2233-2220).....No limit

Solid waste management fund (264-00-2271-2075).....No limit  
*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2024, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund (264-00-2284-2085).....No limit

Voluntary cleanup fund (264-00-2288-2120).....No limit

Storage tank fee fund (264-00-2293-2090).....No limit

Air quality fee fund (264-00-2020-2830).....No limit

Hazardous waste  
collection fund (264-00-2099-2010).....No limit

Health and environment training fee fund –  
environment (264-00-2175-2170).....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs

incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*; That such fees may be fixed in order to recover all or part of such costs: *And provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*; That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2024, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2024 for agency operations for the division of environment.

Driving under the

influence fund (264-00-2101-2020).....	No limit
Waste tire management fund (264-00-2635-2820).....	No limit
Health and environment publication fee fund – environment (264-00-2544-2195).....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
Local air quality control authority regulation services fund (264-00-2657-2330).....	No limit
Environmental response fund (264-00-2662-2400).....	No limit
Sponsored project overhead fund – environment (264-00-2911-2720).....	No limit
Chemical control fee fund (264-00-2212-2360).....	No limit
QuantiFERON TB laboratory fund (264-00-2458-2460).....	No limit
Resource conservation and recovery act – federal fund (264-00-3586-3190).....	No limit
Water supply – federal fund (264-00-3295-3130).....	No limit
Air quality section 103 – federal fund (264-00-3248-3246).....	No limit
EPA – core support – federal fund (264-00-3040-3000).....	No limit
Network exchange grant – federal fund (264-00-3267-3267).....	No limit
Kansas clean diesel grant – federal fund (264-00-3249-3250).....	No limit
Air quality program – federal fund (264-00-3072-3090).....	No limit
Sec. 106 monitoring initiative – federal fund (264-00-3619-3240).....	No limit
Air quality section 105 – federal fund (264-00-3249-3249).....	No limit
Leaking underground storage tank trust – federal fund (264-00-3812-3700).....	No limit

Surface mining control and reclamation act – federal fund (264-00-3820-3760).....	No limit
Abandoned mined-land – federal fund (264-00-3821-3770).....	No limit
Department of defense and state cooperative agreement – federal fund (264-00-3067-3031).....	No limit
EPA non-point source – federal fund (264-00-3889-3940).....	No limit
Pollution prevention program – federal fund (264-00-3908-3990).....	No limit
EPA water monitoring – federal fund (264-00-3086-4200).....	No limit
Gifts, grants and donations fund – environment (264-00-7314-7095).....	No limit
Special bequest fund – environment (264-00-7367-7040).....	No limit
Aboveground petroleum storage tank release trust fund (264-00-7398-7070).....	No limit
Underground petroleum storage tank release trust fund (264-00-7399-7060).....	No limit
Drycleaning facility release trust fund (264-00-7407-7250).....	No limit
Public water supply loan fund (264-00-7539-7800).....	No limit
Public water supply loan operations fund (264-00-3295-3295).....	No limit
Kansas water pollution control revolving fund (264-00-7530-7400).....	No limit
<i>Provided</i> , That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: <i>Provided further</i> ; That expenditures from this fund shall be made to provide for the payment of such matching grants.	
Kansas water pollution control operations fund (264-00-7960-8300).....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600).....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805).....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7620).....	No limit
Subsurface hydrocarbon storage fund (264-00-2228-2380).....	No limit
Natural resources damages	

trust fund (264-00-7265-7265).....	No limit
Hazardous waste	
management fund (264-00-2519-2290).....	No limit
Brownfields revolving loan program –	
federal fund (264-00-3278-3278).....	No limit
Mined-land reclamation fund (264-00-2685-2560).....	No limit
Operator outreach training program –	
federal fund (264-00-3259-3259).....	No limit
Underground storage tank –	
federal fund (264-00-3732-3510).....	No limit
EPA underground injection control –	
federal fund (264-00-3295-3288).....	No limit
Laboratory medicaid cost recovery fund –	
environment (264-00-2092-2060).....	No limit
EPA state response program –	
federal fund (264-00-3370-3915).....	No limit
Environmental use	
control fund (264-00-2292-2310).....	No limit
Environmental response remedial activity specific	
sites – federal fund (264-00-3040-3003).....	No limit
Emergency environmental response – nonspecific	
sites federal fund (264-00-3067-3030).....	No limit
Medicare program – environment –	
federal fund (264-00-3096-3050).....	No limit
EPA pollution prevention –	
federal fund (264-00-3619-3240).....	No limit
Inspections Kansas infrastructure projects –	
federal fund (264-00-3910-3950).....	No limit
Salt solution mining well	
plugging fund (264-00-2247-2390).....	No limit
Water program	
management fund (264-00-2798-2798).....	No limit
UST redevelopment fund (264-00-7397-7080).....	No limit
<i>Provided, That, in addition to the other purposes authorized by K.S.A. 65-34,132, and amendments thereto, notwithstanding the provisions of K.S.A. 65-34,139(a)(3), and amendments thereto, expenditures shall be made from the UST redevelopment fund for fiscal year 2024 for the purposes of reimbursing eligible owners of underground storage tanks, if, pursuant to K.S.A. 65-34,139, and amendments thereto, the owner replaces all components of a single-wall storage tank system with a secondary containment system that complies with K.S.A. 65-34,138, and amendments thereto, after August 8, 2005.</i>	
Office of laboratory services	
operating fund (264-00-2161-2161).....	No limit
Risk management fund (264-00-7402-7402).....	No limit
Intoxilyzer replacement –	
federal fund (264-00-3092-3092).....	No limit
Environmental	
stewardship fund (264-00-7396-7096).....	No limit

EPA multi-purpose grant – federal fund (264-00-3103-3630).....	No limit
Volkswagen environmental fund (264-00-7269-7269).....	No limit
USDA conservation partnership – federal fund (264-00-3022-3022).....	No limit
Environmental response – federal fund (264-00-3066-3010).....	No limit
Other federal grants – federal fund (264-00-3095-5450).....	No limit
Alcohol impaired driving countermeasures incentive grants – federal fund (264-00-3247-3247).....	No limit
Air quality program – federal fund (264-00-3253-3253).....	No limit
Water related grants – federal fund (264-00-3254-3260).....	No limit
EPA nonpoint source implementation – federal fund (264-00-3915-3915).....	No limit
Water protection state grants – federal fund (264-00-3264-3264).....	No limit
Multi-media capacity building – federal fund (264-00-3277-3277).....	No limit
Health watershed initiative – federal fund (264-00-3558-3558).....	No limit
Small employer cafeteria plan development program (264-00-2386-2382).....	No limit
Environmental response RMDL act – federal fund (264-00-3005-3010).....	No limit
Ticket to work grant – federal fund (264-00-3417-4367).....	No limit
Demo to maintenance-indep. employer – federal fund (264-00-3419-3419).....	No limit
EPA underground injection control – federal fund (264-00-3618-3230).....	No limit
104G outreach training program – federal fund (264-00-3722-3500).....	No limit
Drinking water lead testing in school and child care programs – federal fund (264-00-3670-3601).....	No limit
Brownfields revolving loan program fund (264-00-7526-7103).....	No limit
Certification of environmental liability fund (264-00-7527-7230).....	No limit
P/C safety net clinic loan guarantee fund (264-00-7551-7595).....	No limit
KWPC surcharge services fees (264-00-7961-8400).....	No limit

KPWS revolving fund (264-00-7968-8500).....	No limit
KPWS surcharge service fees (264-00-7969-8600).....	No limit
Asbestos remediation fund (264-00-7342-7342).....	No limit
<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 65-5309, and amendments thereto, or any other statute, all fees or other moneys collected by the above agency during fiscal year 2024 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.	
Increasing technical assistance for	
regenerative agriculture peer mentoring	
programs fund (264-00-3083-3083).....	No limit
Sewer overflow municipal grants	
program fund (264-00-3707-3707).....	No limit
American rescue plan state	
relief fund (264-00-3756-3536).....	No limit
Lead-based paint hazard	
fee fund (264-00-2289-2140).....	No limit
Gulf of Mexico program fund (264-00-3703-3703).....	No limit
Assistance for small and disadvantaged	
communities drinking water grant	
program fund (264-00-3655-3655).....	No limit
Expanding COVID-19	
vaccination fund (264-00-3931-3931).....	No limit
Strengthening U.S. public	
health fund (264-00-3926-3926).....	No limit
(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified as follows:	
Contamination remediation (264-00-1800-1802).....	\$1,095,978
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.	
Local environmental	
protection program (264-00-1800-1803).....	\$250,000
TMDL initiatives and use	
attainability analysis (264-00-1800-1805).....	\$384,916
<i>Provided</i> , That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.	
Watershed restoration and	
protection plan (264-00-1800-1808).....	\$1,000,000
<i>Provided</i> , That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.	
Nonpoint source program (264-00-1800-1804).....	\$414,893
<i>Provided</i> , That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.	
Milford and Marion reservoirs harmful algae	
bloom pilot (264-00-1800-1810).....	\$150,547

*Provided*, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Drinking water protection (264-00-1800-1806).....\$800,000

*Provided*, That any unencumbered balance in the drinking water protection account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Stream trash removal (264-00-1800).....\$50,000

(d) During the fiscal year ending June 30, 2024, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment, which are directed to be made on or before the 10<sup>th</sup> day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2023, and on other occasions during fiscal year 2024 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment that have available moneys to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2024, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment –

division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2024, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 88.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Alcohol and drug abuse services grants (039-00-1000-1010).....\$1,900,000

*Provided*, That, the above agency shall distribute the moneys in the alcohol and drug abuse services grants account in fiscal year 2023 for all allowable purposes in accordance with specifications of the federal grant guidelines, including medication and treatment.

(b) On the effective date of this act, of the \$431,984,882 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$40,763,382 is hereby lapsed.

(c) On the effective date of this act, of the \$44,169,770 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$4,031,990 is hereby lapsed.

(d) On the effective date of this act, of the \$2,586,200 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 144(a) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the debt service – state hospitals rehabilitation and repair account (039-00-8100-8325), the sum of \$18 is hereby lapsed.

(e) On the effective date of this act, of the \$2,771,500 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 133(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the EMR infrastructure fund account (039-00-8100-8200), the sum of \$173,362 is hereby lapsed.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services is hereby increased from \$7,248,619 to \$7,251,500.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the social service block grant fund (039-00-3307-3371) of the Kansas department for aging and disability services is hereby increased from

\$4,499,999 to \$4,500,000.

(h) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including but not limited to PRTFs, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with I/DD or other cognitive disabilities that result in higher acuity or aggressive behavior, or both, that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*, That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems: *And provided further*, That such study shall be submitted to the house of representatives committee on social services budget and the appropriate subcommittee of the senate committee on ways and means prior to the start of the 2024 regular session of the legislature.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Larned state hospital fee fund (410-00-2073-2100) of the Kansas department for aging and disability services is hereby decreased from \$4,443,456 to \$3,779,252.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Osawatomie state hospital certified care fund (494-00-2079-4201) of the Kansas department for aging and disability services is hereby decreased from \$5,370,468 to \$5,323,434.

(k) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated in the opioid abuse treatment and prevention federal fund (039-00-3023-3024) as authorized by section 74 of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for all allowable purposes in accordance with specifications of the federal grant guidelines, including medication and treatment.

(l) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

Sec. 89.

AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

RSI crisis center base services (039-00-1000-0110).....	\$3,576,100
Comcare crisis center	
base services (039-00-1000-0120).....	\$1,300,000
Valeo crisis center base services (039-00-1000-0130).....	\$500,000
Salina crisis center base services (039-00-1000-0140).....	\$85,000

Administration

    official hospitality (039-00-1000-0204).....\$1,748  
*Provided*, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

PASRR (039-00-1000-0210).....\$903,780

*Provided*, That any unencumbered balance in the PASRR account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Senior care act (039-00-1000-0260).....\$5,515,000

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2023 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2023: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2024 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2023: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –

    state match (039-00-1000-0280).....\$5,545,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2023 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2023: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2024 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2023: *And provided further*; That all people receiving or applying for services

that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Community services

and programs (039-00-1000-0520).....\$4,614,869

*Provided*, That any unencumbered balance in the community services and programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

KanCare caseloads (039-00-1000-0610).....\$551,600,000

*Provided*, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Non-KanCare caseloads (039-00-1000-0611).....\$53,200,000

*Provided*, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, from the non-KanCare caseloads account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

KanCare non-caseloads (039-00-1000-0612).....\$421,197,003

*Provided*, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

State operations (039-00-1000-0801).....\$41,009,579

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse

services grants (039-00-1000-1010).....\$8,915,447

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures shall be made by the above agency from such account to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals: *Provided, however*; That prior to making any expenditures from such account to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals, the above agency shall make expenditures of unencumbered moneys in the problem gambling and addictions grant fund for such purpose: *And provided further*; That on June 30, 2024, the director of the budget shall certify to the director of accounts and reports the total amount of expenditures from the problem gambling and addictions grant fund for fiscal year 2024 for reimbursement to organizations that provide substance use disorder treatment for uninsured individuals: *And provided further*; That of the \$8,915,447 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the alcohol and drug abuse services grants account, such certified amount is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the

director of legislative research.

Community mental health centers

supplemental funding (039-00-1000-3001).....\$54,184,328

*Provided*, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Regional beds funding (039-00-1000-3003).....\$29,650,000

*Provided*, That any unencumbered balance in the regional beds funding account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

BH community aid (039-00-1000-3004).....\$28,133,075

*Provided*, That any unencumbered balance in the BH community aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided further*, That expenditures shall be made from this account for the EmberHope Youthville pilot program not to exceed \$1,000,000.

CDDO support (039-00-1000-4001).....\$10,974,857

*Provided*, That any unencumbered balance in the CDDO support account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas neurological institute – operating

expenditures (363-00-1000-0303).....\$15,023,961

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating

expenditures (410-00-1000-0103).....\$40,953,861

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*, That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – SPTP new crimes

reimbursement (410-00-1000-0110).....\$5,000

*Provided*, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Larned state hospital – sexual predator treatment

program (410-00-1000-0200).....\$23,709,337

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Osawatomie state hospital – operating expenditures (494-00-1000-0100).....\$34,451,306

*Provided*, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomie state hospital – certified care expenditures (494-00-1000-0101).....\$7,010,819

*Provided*, That any unencumbered balance in the Osawatomie state hospital – certified care expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Osawatomie state hospital – SPTP MiCo (494-00-1000-0200).....\$1,184,324

*Provided*, That any unencumbered balance in the Osawatomie state hospital – SPTP MiCo account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....\$17,057,916

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center – sexual predator treatment program (507-00-1000-0200).....\$2,037,289

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – sexual predator treatment program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in the other medical assistance account (039-00-1000-3002) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130).....	No limit
<i>Provided</i> , That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund: <i>Provided further</i> , That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.	
Kansas neurological institute title XIX reimbursements fund (363-00-2060-2200).....	No limit
Larned state hospital title XIX reimbursements fund (410-00-2074-2200).....	No limit
Osawatomie state hospital title XIX reimbursements fund (494-00-2080-4300).....	No limit
Osawatomie state hospital certified care title XIX reimbursements fund (494-00-2080-4301).....	No limit
Parsons state hospital title XIX reimbursements fund (507-00-2083-2300).....	No limit
Kansas neurological institute fee fund (363-00-2059-2000).....	\$1,324,481
Kansas neurological institute – foster grandparents program – federal fund (363-00-3115-3200).....	No limit
Kansas neurological institute – FGP gifts, grants, donations fund (363-00-7125-7400).....	No limit
Kansas neurological institute – patient benefit fund (363-00-7910-7100).....	No limit
Kansas neurological institute – work therapy patient benefit fund (363-00-7940-7200).....	No limit
Larned state hospital fee fund (410-00-2073-2100).....	\$3,970,643
Larned state hospital – canteen fund (410-00-7806-7000).....	No limit
Larned state hospital – patient benefit fund (410-00-7912-7100).....	No limit
Larned state hospital – work therapy patient benefit fund (410-00-7938-7200).....	No limit
Osawatomie state hospital fee fund (494-00-2079-4200).....	\$1,717,298

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee

account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomi state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomi state hospital fee fund.

Osawatomi state hospital certified care fund (494-00-2079-4201).....\$4,172,838

Osawatomi state hospital – cottage revenue and expenditures fund (494-00-2159-2159).....No limit

Osawatomi state hospital – training fee revolving fund (494-00-2602-2000).....No limit

*Provided*, That all moneys received as fees for training activities for Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomi state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomi state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomi state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomi state hospital.

Osawatomi state hospital – motor pool revolving fund (494-00-6164-5200).....No limit

Osawatomi state hospital – canteen fund (494-00-7807-5600).....No limit

Osawatomi state hospital – patient benefit fund (494-00-7914-5700).....No limit

Osawatomi state hospital – work therapy patient benefit fund (494-00-7939-5800).....No limit

Parsons state hospital and training center fee fund (507-00-2082-2200).....\$1,050,000

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Parsons state hospital and training center – canteen fund (507-00-7808-5500).....No limit

Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).....No limit

Parsons state hospital and training center – work therapy patient benefit fund (507-00-7941-5700).....No limit

DADS social welfare fund (039-00-2141-2195).....No limit

Indirect cost fund (039-00-2193-2193).....No limit

Health occupations credentialing fee fund (039-00-2315-2315).....	No limit
Community mental health center improvement fund (039-00-2336-2336).....	No limit
Community crisis stabilization centers fund (039-00-2337-2337).....	No limit
Clubhouse model program fund (039-00-2338-2338).....	No limit
Medical resources and collection fund (039-00-2363-2100).....	No limit
<i>Provided</i> , That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: <i>Provided further</i> , That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: <i>And provided further</i> , That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: <i>And provided further</i> , That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.	
Problem gambling and addictions grant fund (039-00-2371-2371).....	\$8,401,097
<i>Provided</i> , That expenditures shall be made by the above agency from the problem gambling and addictions grant fund, not to exceed \$5,000,000, to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals.	
State licensure fee fund (039-00-2373-2370).....	No limit
General fees fund (039-00-2524-2500).....	No limit
<i>Provided</i> , That the secretary for aging and disability services is hereby authorized to collect: (1) Fees from the sale of surplus property; (2) fees charged for searching, copying and transmitting copies of public records; (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property; and (4) other miscellaneous fees: <i>Provided further</i> , That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: <i>And provided further</i> , That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services or to benefit and meet the mission of the Kansas department for aging and disability services.	
Senior citizen nutrition check-off fund (039-00-2660-2610).....	No limit
Other state fees fund – community alcohol treatment (039-00-2661-0000).....	No limit
988 suicide prevention and mental health crisis hotline fund (039-00-2913-2913).....	No limit
Quality care services fund (039-00-2999-2902).....	No limit

*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*, That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 75-7435, and amendments thereto.

Opioid abuse treatment & prevention –  
federal fund (039-00-3023-3024).....No limit

Kansas national background check program –  
federal fund (039-00-3032-3132).....No limit

Money follows the person grant –  
federal fund (039-00-3054-4000).....No limit

Survey & certification –  
federal fund (039-00-3064-3064).....No limit

*Provided*, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2024 pursuant to a contract, which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Substance abuse/mental health  
services – partnership for success –  
federal fund (039-00-3284-1327).....No limit

Special program for aging IIID –  
federal fund (039-00-3286-3285).....No limit

Special program for aging IIIB –  
federal fund (039-00-3287-3281).....No limit

Special program for aging IV & II –  
federal fund (039-00-3288-3297).....No limit

National family caregiver support program IIIE –  
federal fund (039-00-3289-3201).....No limit

Nutrition services incentives –  
federal fund (039-00-3291-3305).....No limit

Prevention/treatment substance abuse –  
federal fund (039-00-3301-0310).....No limit

Social service block  
grant fund (039-00-3307-3371).....\$4,500,000

*Provided*, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2023 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2023: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2024 regular session of the legislature a report of

the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2023: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services that are determined to be the most economical services available.

Community mental health block grant – federal fund (039-00-3310-0460).....	No limit
Temporary assistance for needy families – federal fund (039-00-3323-3323).....	No limit
PATH – federal fund (039-00-3347-4316).....	No limit
Special program for aging VII-2 – federal fund (039-00-3358-3072).....	No limit
TBI partnership program fund (039-00-3376-3376).....	No limit
Disaster response for Children – federal fund (039-00-3385-3591).....	No limit
Special program for aging VII-3 – federal fund (039-00-3402-3000).....	No limit
Center for medicare/medicaid service – federal fund (039-00-3408-3300).....	No limit
Medicare fund – oasis (039-00-3408-3350).....	No limit
<i>Provided</i> , That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.	
Medicare fund – SHICK (039-00-3408-3400).....	No limit
Medical assistance program – federal fund (039-00-3414-0442).....	No limit
Children's health insurance – federal fund (039-00-3424-3420).....	No limit
Special program for aging IIIC – federal fund (039-00-3425-3423).....	No limit
Medicare enrollment assistance program fund – federal (039-00-3468-3450).....	No limit
Systems of care grant – federal fund (039-00-3595-3595).....	No limit
SAMHSA covid-19 supplemental – federal fund (039-00-3672-3997).....	No limit
SSA xx ombudsman cares FFY21 – federal fund (039-00-3680-3083).....	No limit
KS assisted outpatient treatment – federal fund (039-00-3733-3101).....	No limit
ADAS data collection grant – federal fund (039-00-3887-3887).....	No limit
Long-term care loan and grant fund (039-00-5110-5100).....	No limit
KDFA refunding revenue bond	

2013B fund (039-00-7111).....	No limit
Trust fund (039-00-7299).....	No limit
Gifts and donations fund (039-00-7309-7000).....	No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Larned state security hospital	
K DFA 02N-1 fund (039-00-8703).....	No limit
SRS state of Kansas K DFA 04A-1	
project fund (039-00-8704).....	No limit
State of Kansas projects	
K DFA 2010E-F fund (039-00-8705).....	No limit
Parking deduction clearing fund (039-00-9233-9200).....	No limit
Medical assistance recovery	
clearing fund (039-00-9300).....	No limit
Credit card clearing fund (039-00-9400).....	No limit
American rescue plan	
state relief fund (039-00-3756-3536).....	No limit

*Provided*, That expenditures shall be made by the above agency for fiscal year 2024 from the American rescue plan state relief fund to expand the PACE program to additional Kansas counties in an amount not to exceed \$2,500,000.

(c) On July 1, 2023, and at other times during fiscal year 2024, when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs from specified special revenue funds of the Kansas department for aging and disability services to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2023, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2023, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2023, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2024, no moneys paid by the Kansas department for aging and disability services from the CDDO support account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such

moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2024, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2024 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2024, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2024 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2024 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2024: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for

aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2024 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*; That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) During the fiscal year ending June 30, 2024, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) Notwithstanding the provisions of K.S.A. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2024.

(m) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to operate, or contract for the operation of, eight acute inpatient psychiatric care beds for children in the city of Hays, Kansas, or the surrounding area: *Provided, however*; That expenditures for such purposes during fiscal year 2024 shall not exceed \$4,000,000.

(n) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to implement a process for certification and funding for certified community behavioral health clinics: *Provided*, That such agency shall certify as a certified community behavioral health clinic any community behavioral health center licensed by such agency that provides the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and community-based mental healthcare for military servicemembers and veterans.

(o) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to submit a report on a quarterly basis, in collaboration with the Kansas department of health and environment,

to the Robert G. (Bob) Bethell joint committee on home and community based services regarding the home and community-based services brain injury waiver, including the:

(1) Number of members enrolled in such waiver at the end of the month prior to the committee meeting;

(2) unduplicated number of such members over the course of the calendar year;

(3) number of such members receiving services for a period longer than 2 years and longer than 4 years;

(4) number of such members who did not receive services within a period of 60, 90 or 120 or more days after being enrolled;

(5) number of such members who did not receive a specific waiver service within a period of 30, 60, 90 or 120 or more days prior to the date such member was officially unenrolled from such waiver;

(6) amount of the per-member, per-month enhanced dollar rate provided to a managed care organization for each member enrolled in such waiver;

(7) total number of members enrolled in the waiver disaggregated by county and the per capita enrollment in such waiver disaggregated by county; and

(8) agency's progress toward new policy implementation.

(p) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to establish guidelines for nursing facilities, as defined in K.S.A. 39-923, and amendments thereto, to request a waiver from staffing requirements and to study establishing similar guidelines for other adult care homes, as defined in K.S.A. 39-923, and amendments thereto: *Provided*, That any such guidelines shall be compatible with rules established by the United States centers for medicare and medicaid services.

(q) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements with community mental health centers for the purpose of establishing rates for conducting mobile competency evaluations.

(r) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including, but not limited to, psychiatric residential treatment facilities, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with intellectual disabilities, developmental disabilities or other cognitive disabilities that result in higher acuity or aggressive behavior that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*, That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems.

(s) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

(t) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for the purpose of preparing a report on such agency's progress to build capacity for crisis services for Kansans with intellectual or developmental disability: *Provided*, That such report shall be submitted to the senate committee on public health and welfare, the appropriate subcommittee of the senate committee on ways and means, the house of representatives committee on health and human services and the house of representatives committee on social services budget.

(u) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of reviewing the overall costs of providing services within the intellectual and developmental disability service system and making recommendations to the legislature for a method to make regular rate adjustments for such services based on inflationary indexes.

(v) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of submitting to the United States centers for medicare and medicaid services an approval request to develop a home and community-based services community supports waiver to provide services to individuals with intellectual or developmental disability: *Provided*, That the waiver application for such program shall reflect the recommendations of the 2022 Special Committee on Intellectual and Developmental Disability Waiver Modernization, including a per-person maximum of \$20,000 and offering services for transportation, supported employment, individual-directed goods and services, personal care, respite, therapy, assistive technology, independent living, family or caregiver support and training, financial management services and support brokers and benefits counseling.

(w) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by

this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of providing a 5% increase to medicaid rates for services provided under a program for all-inclusive care for the elderly.

(x) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys in an amount not to exceed \$5,000,000 for the purpose of reimbursing healthcare providers, law enforcement and other county entities for unpaid costs of patient observation and transportation.

(y) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for mental health bed expansion in the Sedgwick county regional area, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such mental health bed expansion, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$22,000,000 as available from such funds to the special revenue fund of the above agency designated by the secretary for aging and disability services for the purpose of funding such mental health bed expansion: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such mental health bed expansion: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such mental health bed expansion, such mental health bed expansion shall not be funded pursuant to this subsection.

Sec. 90.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Youth services aid and assistance (629-00-1000-7020).....\$5,400,000

(b) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds as authorized by section 76 of chapter 81 or section 30 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature,

expenditures shall be made by such agency from such moneys to prepare and issue a request for proposals for a subscription to a software-as-a-service product to automate the licensing of foster families and the placement of foster children in approved homes: *Provided*, That such request for proposals shall require such subscription to commence during fiscal year 2024 on or before December 31, 2023: *Provided further*, That the above agency shall select such product from the United States general services administration multiple award schedule or the national association of state procurement officials valuepoint list: *And provided further*, That the above agency shall select a product that: (1) Includes a mobile-friendly portal to provide remote access to users, a geographic component that displays foster family availability and location to facilitate children staying in or near the child's community of origin and a live, online chat support for users in English and Spanish languages; and (2) is made and supported by employees in the United States.

Sec. 91.

KANSAS DEPARTMENT FOR  
CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State operations (including  
official hospitality) (629-00-1000-0013).....\$134,710,032

*Provided*, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Cash assistance (629-00-1000-2010).....\$11,979,371

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Vocational rehabilitation aid  
and assistance (629-00-1000-5010).....\$4,948,301

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of workers compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Youth services aid  
and assistance (629-00-1000-7020).....\$250,530,034

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Hope ranch program for women.....\$300,000

*Provided*, That on or before January 9, 2024, the hope ranch program for women shall report to the Kansas legislature on performance measures evaluating the program's effectiveness for fiscal year 2024.

Foster care licensing and placement software.....\$2,500,000

*Provided*, That during the fiscal year ending June 30, 2024, the above agency shall

make expenditures from the above account for the sole purpose of continuing the agency's request for proposal process for a subscription to a software-as-a-service product to automate the licensing of foster families and the placement of foster children in approved homes and to commence and fund such subscription on or before December 31, 2023.

WeKanDrive .....\$750,000

*Provided*, That expenditures shall be made from the WeKanDrive account to expand the WeKanDrive program statewide to support older youth in foster care and young adults in obtaining their driver's license in Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Social welfare fund (629-00-2195-0110).....	No limit
Project maintenance reserve fund (629-00-2214-0150).....	No limit
Other state fees fund (629-00-2220).....	No limit
Disaster relief – federal fund (629-00-3005-7344).....	No limit
Child care discretionary – federal fund (629-00-3028-0522).....	No limit
Title IV-B promoting safe/stable families – federal fund (629-00-3302).....	No limit
Low-income home energy assistance – federal fund (629-00-3305-0350).....	No limit
Child welfare services state grants – federal fund (629-00-3306-0341).....	No limit
Social services block grant – federal fund (629-00-3307-0370).....	No limit
Commodity supp food program – federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance – federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program – federal fund (629-00-3311).....	No limit
Emergency food assistance program – federal fund (629-00-3313-2310).....	No limit
Rehabilitation services – vocational rehabilitation – federal fund (629-00-3315).....	No limit
Child support enforcement – federal fund (629-00-3316).....	No limit
Child care and development mandatory and matching – federal fund (629-00-3318-0523).....	No limit
Temporary assistance to needy families – federal fund (629-00-3323-0530).....	No limit
SNAP technology project for success – federal fund (629-00-3327-3327).....	No limit

*Provided,* That expenditures shall be made by the above agency for fiscal year 2024 from the temporary assistance for needy families – federal fund to the boys and girls clubs for out-of-school time support in an amount not to exceed \$780,000.

Title IV-E foster care –	
federal fund (629-00-3337-0419).....	No limit
Chafee education and	
training vouchers program –	
federal fund (629-00-3338-0425).....	No limit
Adoption incentive payments –	
federal fund (629-00-3343-0426).....	No limit
Adoption assistance –	
federal fund (629-00-3357-0418).....	No limit
Chafee foster care independence program –	
federal fund (629-00-3365-0417).....	No limit
Refugee and entrant assistance –	
federal fund (629-00-3378).....	No limit
Headstart – federal fund (629-00-3379-6323).....	No limit
Developmental disabilities basic support –	
federal fund (629-00-3380-4360).....	No limit
Children's justice grants to states –	
federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants –	
federal fund (629-00-3382-7210).....	No limit
Independent living state grants –	
federal fund (629-00-3387).....	No limit
Independent living services for older blind –	
federal fund (629-00-3388-5313).....	No limit
Supported employment for	
individuals with severe disabilities –	
federal fund (629-00-3389).....	No limit
TEFAP trade	
mitigation program (629-00-3409-2315).....	No limit
Medical assistance program –	
federal fund (629-00-3414).....	No limit
Children's health insurance program –	
federal fund (629-00-3424-0541).....	No limit
SNAP employment and training exchange –	
federal fund (629-00-3452-3452).....	No limit
Child-care disaster – federal fund (629-00-3597-3597).....	No limit
ESSA preschool development grant –	
federal fund (629-00-3608-0525).....	No limit
Randolph sheppard FRRP –	
federal fund (629-00-3647-3647).....	No limit
Low income water assistance –	
federal fund (629-00-3653-3653).....	No limit
SNAP pandemic ebt admin-21 –	
federal fund (629-00-3661-0431).....	No limit

SNAP data grant –	
federal fund (629-00-3674-3674).....	No limit
Adult protective services crrsa21 –	
federal fund (629-00-3680-3680).....	No limit
Title IV-E kinship navigator –	
federal fund (629-00-3712-0429).....	No limit
Coronavirus relief fund (629-00-3753).....	No limit
Prevention services grant fund (629-00-3813-0428).....	No limit
SRS enterprise fund (629-00-5105).....	No limit
Receipt suspense	
clearing fund (629-00-9212-0910).....	No limit
Client assistance payment	
clearing fund (629-00-9214-0930).....	No limit
Child support collections	
clearing fund (629-00-9218-0970).....	No limit
EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund (629-00-9405-9400).....	No limit

(c) During the fiscal year ending June 30, 2024, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2024 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2024, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2024, the following:

Child care (629-00-2000-2406).....	\$5,033,679
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*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Family preservation (629-00-2000-2413).....	\$3,241,062
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*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(f) On July 1, 2023, the SNAP pandemic ebt admin grant – federal fund (629-00-3661-0431) of the Kansas department for children and families is hereby redesignated as the SNAP pandemic ebt admin-21 – federal fund (629-00-3661-0431) of the Kansas department for children and families.

(g) In addition to the other purposes for which expenditures may be made by the

above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2024 to authorize the children's cabinet to establish a nonprofit corporation organized under section 501(c)(3) of the internal revenue code of 1986: *Provided*, That the board of directors of the nonprofit corporation shall consist of the members of the children's cabinet, the executive director of the children's cabinet and other directors designated by the children's cabinet: *Provided further*, That the children's cabinet shall receive gifts, donations, grants and other money and engage in fundraising projects for the benefit of the Dolly Parton's imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Sec. 92.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Kansas guardianship program (261-00-1000-0300).....\$1,403,875

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 93.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (434-00-1000-0300).....\$1,391,407

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants in aid (434-00-1000-0410).....\$1,067,914

*Provided*, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....\$1,133,729

*Provided*, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....\$443,165

*Provided*, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500).....	No limit
Federal library services and technology act – fund (434-00-3257-3000).....	No limit
Grants and gifts fund (434-00-7304-7000).....	No limit
Coronavirus relief fund (434-00-3753).....	No limit

Sec. 94.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (604-00-1000-0303).....	\$50,000
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(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$100,000
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$119,820

Sec. 95.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (604-00-1000-0303).....	\$6,396,917
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....	\$133,847
Extended school year program.....	\$300,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services reimbursement fund (604-00-2088-2500).....	No limit
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*Provided*, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (604-00-2093).....	No limit
Student activity	

fees fund (604-00-2146).....	No limit
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Chapter I handicapped FDF – federal fund (604-00-3039).....	No limit
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Special education state grants –

federal fund (604-00-3234).....	No limit
School breakfast program –	
federal fund (604-00-3529).....	No limit
Federal school lunch –	
federal fund (604-00-3530).....	No limit
Child and adult care food program –	
federal fund (604-00-3531).....	No limit
Safe schools – federal fund (604-00-3569).....	No limit
Deaf-blind project –	
federal fund (604-00-3583).....	No limit
Summer food service program –	
federal fund (604-00-3591).....	No limit
ESSER II federal fund (604-00-3638).....	No limit
Elementary and secondary school emergency	
relief fund III – Covid-19 federal relief	
fund – federal fund (604-00-3649).....	No limit
American rescue plan-state relief –	
federal fund (604-00-3756).....	No limit
Education improvement –	
federal fund (604-00-3898).....	No limit
Gift fund (604-00-7329-5100).....	No limit
Special bequest fund (604-00-7333).....	No limit
Sec. 96.	

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (610-00-1000-0303).....\$50,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....\$100,000

(c) On the effective date of this act, any unencumbered balance in the Roth building repairs account (610-00-8100-8125) of the state institutions building fund is hereby lapsed.

Sec. 97.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (610-00-1000-0303).....\$10,603,026

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Language assessment program.....\$386,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Local services

reimbursement fund (610-00-2091-2200).....No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (610-00-2094).....No limit

Student activity fees fund (610-00-2147).....No limit

Language assessment fee fund (610-00-2891).....No limit

*Provided*, That expenditures shall be made from the language assessment fee fund for operating expenditures to implement a fee-for-service model to fund the implementation of a language assessment program for children ages three through eight: *Provided further*, That the above agency is hereby authorized to fix, charge and collect fees from unified school districts, special education cooperatives and interlocals to fund the operations of the language assessment program authorized pursuant to K.S.A. 75-5397e, and amendments thereto: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the language assessment fee fund: *And provided further*, That all expenditures from the language assessment fee fund shall be only for the operations of the language assessment program.

Special education state grants –

federal fund (610-00-3234).....No limit

Universal newborn screening –

federal fund (610-00-3459).....No limit

School breakfast program –

federal fund (610-00-3529).....No limit

School lunch program –

federal fund (610-00-3530).....No limit

Special education preschool grants –

federal fund (610-00-3535).....No limit

Summer food service program –

federal fund (610-00-3591).....No limit

Elementary and secondary school emergency

relief – federal fund (610-00-3638).....No limit

COVID-19 federal relief fund –

federal fund (610-00-3649).....No limit

American rescue plan – state relief –

federal fund (604-00-3756).....No limit

Special bequest fund (610-00-7321).....No limit

Gift fund (610-00-7330).....No limit

Special workshop fund (610-00-7504).....No limit

Language assessment fee fund.....No limit

Sec. 98.

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (288-00-1000-0083).....\$4,485,976

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Humanities Kansas (288-00-1000-0600).....\$50,501

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (288-00-2047-2300).....No limit

Archeology fee fund (288-00-2638-2350).....No limit

*Provided*, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*; That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and

equipment fund (288-00-2436-2700).....No limit

Microfilm fees fund (288-00-2246-2370).....No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*; That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100).....No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310).....No limit

Historic preservation overhead

fees fund (288-00-2916-2380).....No limit

National historic preservation act

fund – local (288-00-3089-3000).....No limit

Private gifts, grants and

bequests fund (288-00-7302-7000).....No limit

Museum and historic sites visitor

donation fund (288-00-2142-2250).....No limit

Insurance collection replacement/

reimbursement fund (288-00-2182-2320).....No limit

Heritage trust fund (288-00-7379-7600).....No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$100,000.

Land survey fee fund (288-00-2234-2330).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2024 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353).....No limit

State historical society

    facilities fund (288-00-2192-2420).....No limit

Historic properties fund (288-00-2144-2400).....No limit

Law enforcement

    memorial fund (288-00-7344-7300).....No limit

Highway planning/

    construction fund (288-00-3333-3333).....No limit

Save America's

    treasures fund (288-00-3923-4000).....No limit

Archeology federal fund (288-00-3083-3110).....No limit

Property sale proceeds fund (288-00-2414-2500).....No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

National endowment for the

    humanities fund (288-00-3925-3925).....No limit

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours:

*Provided, however*; That such admission fees may be increased by the above agency during fiscal year 2024 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further*; That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 99.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including

    official hospitality) (246-00-1000-0013).....\$39,514,462

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Master's-level

nursing capacity (246-00-1000-0100).....\$141,428

Kansas wetlands education center at

Cheyenne bottoms (246-00-1000-0200).....\$265,304

*Provided*, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas academy of math

and science (246-00-1000-0300).....\$759,405

*Provided*, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$3,537,490

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050).....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made

from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act –

federal fund (246-00-3394-3500).....No limit  
Service clearing fund (246-00-6000).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (246-00-2511-2050).....No limit  
Health fees fund (246-00-5101-5000).....No limit

*Provided*, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund (246-00-5102-5010).....No limit  
*Provided*, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study

program fund (246-00-2548-2060).....No limit

Economic opportunity act –

federal fund (246-00-3034-3000).....No limit

Faculty of distinction

matching fund (246-00-2471-2400).....No limit

Nine month payroll clearing

account fund (246-00-7709-7060).....No limit

Federal Perkins student

loan fund (246-00-7501-7050).....No limit

Housing system

revenue fund (246-00-5103-5020).....No limit

*Provided*, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund (246-00-2900-2070).....No limit

Oil and gas royalties fund (246-00-2036-2010).....No limit

Housing system

suspense fund (246-00-5707-5090).....No limit

Sponsored research

overhead fund (246-00-2914-2080).....No limit

Kansas distinguished

scholarship fund (246-00-7204-7000).....No limit

Temporary deposit fund (246-00-9013-9400).....No limit

Federal receipts	
suspense fund (246-00-9105-9410).....	No limit
Suspense fund (246-00-9134-9420).....	No limit
Mandatory retirement annuity	
clearing fund (246-00-9136-9430).....	No limit
Voluntary tax shelter annuity	
clearing fund (246-00-9163-9440).....	No limit
Agency payroll deduction	
clearing fund (246-00-9197-9450).....	No limit
Pre-tax parking	
clearing fund (246-00-9220-9200).....	No limit
University payroll fund (246-00-9800).....	No limit
University federal fund (246-00-3141-3140).....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: <i>Provided further</i> ; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.	
Coronavirus relief federal fund (246-00-3753).....	No limit
Governor's emergency education	
relief fund (246-00-3638).....	No limit
American rescue plan – state fiscal relief –	
federal fund (246-00-3756).....	No limit
(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).	

Sec. 100.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (367-00-1000-0003).....	\$112,359,154

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures may be made by the above agency from such account during the fiscal year ending June 30, 2024, not to exceed \$5,000,000, for biomanufacturing training and education: *Provided, however*; That all such expenditures for biomanufacturing training and education shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.

Midwest institute for comparative stem	
cell biology (367-00-1000-0170).....	\$127,178

*Provided*, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2023, is hereby

reappropriated for fiscal year 2024.

Global food systems (367-00-1000-0190).....\$5,030,579

*Provided*, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2024 shall be matched by Kansas state university on a \$1-for-\$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2024.

Kansas state university

polytechnic campus (including

official hospitality) (367-00-1000-0150).....\$7,753,914

*Provided*, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$3,949,980

Biomanufacturing institute.....\$5,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181).....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction

matching fund (367-00-2472-2500).....No limit

General fees fund (367-00-2062-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200).....No limit

Restricted fees fund (367-00-2520-2080).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts:

Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; polytechnic campus; motor pool; music; professorships; student activities fees; biology sales and services; chemistry; field camps; physics storeroom; sponsored research, sponsored instruction, sponsored public service, equipment and facility grants; contract-post office; library collections; sponsored construction or improvement projects; attorney, educational and personal development, human capital services; student financial assistance; application for undergraduate programs; speech and hearing; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; auditorium receipts; catalog sales; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; college of health and human sciences

storeroom; college of health and human sciences sales; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; printing; short courses and conferences; student government association receipts; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; departmental student organization receipts; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*; That expenditures may be made from this fund for official hospitality.

Kansas career work study  
 program fund (367-00-2540-2090).....No limit  
 Service clearing fund (367-00-6003-7000).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research  
 overhead fund (367-00-2901-2160).....No limit  
*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system  
 suspense fund (367-00-5708-4830).....No limit  
 Housing system operations fund (367-00-5163).....No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

State emergency fund –  
 building repair (367-00-2451-2451).....No limit  
 Housing system repair, equipment and  
 improvement fund (367-00-5641-4740).....No limit

Coliseum system repair, equipment and improvement fund (367-00-5642-4750).....	No limit
Mandatory retirement annuity clearing fund (367-00-9137-9310).....	No limit
Student health fees fund (367-00-5109-4410).....	No limit
<i>Provided</i> , That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.	
Scholarship funds fund (367-00-7201-7210).....	No limit
Perkins student loan fund (367-00-7506-7260).....	No limit
Federal award advance payment – U.S. department of education awards fund (367-00-3855-3350).....	No limit
State agricultural university fund (367-00-7400-7250).....	No limit
Salina – student union fees fund (367-00-5114-4420).....	No limit
Salina – housing system revenue fund (367-00-5117-4430).....	No limit
Salina – housing system suspense fund (367-00-5724-4890).....	No limit
Kansas comprehensive grant fund (367-00-7223-7300).....	No limit
Temporary deposit fund (367-00-9020-9300).....	No limit
Business procurement card clearing fund (367-00-9102-9400).....	No limit
Suspense fund (367-00-9146-9320).....	No limit
Voluntary tax shelter annuity clearing fund (367-00-9164-9330).....	No limit
Agency payroll deduction clearing fund (367-00-9186-9360).....	No limit
Pre-tax parking clearing fund (367-00-9221-9200).....	No limit
Salina student life center revenue fund (367-00-5111-5120).....	No limit
Child care facility revenue fund (367-00-5125-5101).....	No limit
University federal fund (367-00-3142).....	No limit
Animal health research fund (367-00-2053-2053).....	No limit
National bio agro-defense facility fund (367-00-2058-2058).....	No limit
<i>Provided</i> , That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.	
Kan-grow engineering fund – KSU (367-00-2154-2154).....	No limit
Payroll clearing fund (367-00-9801-9000).....	No limit

Fed ext emp clearing fund – employee deduct (367-00-9182-9340).....	No limit
Fed ext emp clearing fund – employer deduct (367-00-9183-9350).....	No limit
Temp dep fund external source (367-00-9065-9305).....	No limit
Nine month payroll clearing fund (367-00-7710-7270).....	No limit
Interest bearing grants fund (367-00-2630-2630).....	No limit
<i>Provided, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.</i>	
Student union renovation expansion revenue fund (367-00-5191-4650).....	No limit
Coronavirus relief federal fund (367-00-3753).....	No limit
Governor's emergency education relief fund (367-00-3638).....	No limit
American rescue plan – state fiscal relief – federal fund (367-00-3756).....	No limit

Sec. 101.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$25,709,245
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*Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided further, That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from such moneys available in such account in an amount of not less than \$5,000,000 for the KSU 105 project.*

Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....	\$32,950,695
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*Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.*

Wildfire suppression/state forest service (369-00-1000-1040).....	\$669,855
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*Provided, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.*

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2024: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....No limit

Sponsored research

overhead fund (369-00-2921-1200).....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance

payment fund (369-00-3872-1360).....No limit

Smith-Lever special program grant –

federal fund (369-00-3047-1330).....No limit

Faculty of distinction

matching fund (369-00-2479-1190).....No limit

Agricultural land

use-value fund (369-00-2364-1180).....No limit

University federal fund (369-00-3144).....No limit

Coronavirus relief federal fund (369-00-3753).....No limit

American rescue plan – state fiscal relief –

federal fund (369-00-3756).....No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Agricultural experiment

stations (369-00-1900-1900).....\$321,663  
Sec. 102.

KANSAS STATE UNIVERSITY EXTENSION  
SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....\$5,000,000

*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That the above agency shall prepare a written report specifying and accounting for all moneys expended from such account during fiscal year 2024 for the KSU 105 project: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 13, 2025.

Sec. 103.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to prepare a written report specifying and accounting for all moneys expended during fiscal year 2025 for the KSU 105 project: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 12, 2026.

Sec. 104.

KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (368-00-1000-5003).....\$11,576,417

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating enhancement (368-00-1000-5023).....\$5,255,674

*Provided*, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas (368-00-1000-5013).....\$650,000

*Provided*, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (including official hospitality) (368-00-5160-5300).....No limit

Faculty of distinction matching fund (368-00-2478-5220).....No limit

Restricted fees fund (368-00-2590-5530).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts:

Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; departmental student organization receipts; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund (368-00-7521-5710).....No limit

University federal fund (368-00-3143-5140).....No limit

Coronavirus relief federal fund (368-00-3753).....No limit

Governor's emergency education relief fund (368-00-3638).....No limit

American rescue plan – state fiscal relief – federal fund (368-00-3756).....No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 105.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures

(including official hospitality) (379-00-1000-0083).....\$5,543

(b) On the effective date of this act, of the \$178,074 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the reading recovery program account (379-00-1000-0100), the sum of \$3,924 is hereby lapsed.

(c) On the effective date of this act, of the \$150,283 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the nat'l board cert/future teacher academy account (379-00-1000-0200), the sum of \$1,619 is hereby lapsed.

Sec. 106.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including

official hospitality) (379-00-1000-0083).....\$36,982,329

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nat'l board cert/future

teacher academy (379-00-1000-0200).....\$322,815

*Provided*, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

Emporia state model investment.....\$9,000,000

SMaRT Kansas 21.....\$510,000

Cybersecurity academic programming center.....\$1,100,000

Student aid for financial need.....\$1,227,910

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186).....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal

school fund (379-00-7101-7000).....No limit

Restricted fees fund (379-00-2526-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research

and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*; That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund (379-00-6004).....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Commencement fees fund (379-00-2527-2050).....	No limit
Kansas career work study	
program fund (379-00-2549-2060).....	No limit
Student health fees fund (379-00-5115-5010).....	No limit
<i>Provided</i> , That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.	
Faculty of distinction	
matching fund (379-00-2473-2400).....	No limit
Bureau of educational	
measurements fund (379-00-5118-5020).....	No limit
National direct student	
loan fund (379-00-7507-7040).....	No limit
Economic opportunity act – work study –	
federal fund (379-00-3128-3000).....	No limit
Educational opportunity grants –	
federal fund (379-00-3129-3010).....	No limit
Basic opportunity grant program –	
federal fund (379-00-3130-3020).....	No limit

Research and institutional overhead fund (379-00-2902-2070).....	No limit
Kansas comprehensive grant fund (379-00-7224-7060).....	No limit
Housing system suspense fund (379-00-5701-5130).....	No limit
Housing system operations fund (379-00-5169-5050).....	No limit
Kansas distinguished scholarship fund (379-00-2762-2700).....	No limit
University federal fund (379-00-3145).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Twin towers project revenue fund (379-00-5120-5030).....	No limit
Nine month payroll clearing fund (379-00-7712-7050).....	No limit
Temporary deposit fund (379-00-9022-9510).....	No limit
Federal receipts suspense fund (379-00-9085-9520).....	No limit
Suspense fund (379-00-9021).....	No limit
Mandatory retirement annuity clearing fund (379-00-9138-9530).....	No limit
Voluntary tax shelter annuity clearing fund (379-00-9165-9540).....	No limit
Agency payroll deduction clearing fund (379-00-9196-9550).....	No limit
Pre-tax parking clearing fund (379-00-9222-9200).....	No limit
University payroll fund (379-00-9802).....	No limit
Leveraging educational assistance partnership federal fund (379-00-3224-3200).....	No limit
National direct student loan fund (379-00-7507-7040).....	No limit
Student union refurbishing fund (379-00-5161-5040).....	No limit
Housing system repairs, equipment and improvement fund (379-00-5650-5120).....	No limit
Coronavirus relief federal fund (379-00-3753).....	No limit
Governor's emergency education relief fund (379-00-3638).....	No limit
American rescue plan – state fiscal relief – federal fund (379-00-3756).....	No limit
Sec. 107.	

EMPORIA STATE UNIVERSITY

(a) Any unencumbered balance in the Emporia state model investment account of

the state general fund in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That the above agency shall prepare a written report specifying and accounting for all moneys expended from such account: *Provided further*; That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 8, 2025.

Sec. 108.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....\$39,863,382

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

School of construction (385-00-1000-0200).....\$777,182

*Provided*, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Polymer science program (385-00-1000-0300).....\$1,037,261

*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

NIMA manufacturing prove-out facility.....\$4,000,000

Student aid for financial need.....\$1,818,970

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010).....No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other

specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund (385-00-5126-5010).....No limit

*Provided*, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510).....No limit

Faculty of distinction matching fund (385-00-2474-2400).....No limit

Perkins student loan fund (385-00-7509-7020).....No limit

Sponsored research overhead fund (385-00-2903-2903).....No limit

College work study federal fund (385-00-3498-3030).....No limit

Nursing student loan fund (385-00-7508-7010).....No limit

Housing system suspense fund (385-00-5703-5170).....No limit

Housing system operations fund (385-00-5165-5050).....No limit

Housing system repairs, equipment and improvement fund (385-00-5646-5160).....No limit

Kansas comprehensive grant fund (385-00-7227-7200).....No limit

Kansas career work study program fund (385-00-2552-2060).....No limit

Nine month payroll	
clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520).....	No limit
Federal receipts	
suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570).....	No limit
Mandatory retirement annuity	
clearing fund (385-00-9139-9540).....	No limit
Voluntary tax shelter annuity	
clearing fund (385-00-9166-9550).....	No limit
Agency payroll deduction	
clearing fund (385-00-9195-9560).....	No limit
Pre-tax parking	
clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803).....	No limit
University federal fund (385-00-3146).....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Overman student center	
renovation fund (385-00-2820-2820).....	No limit
Student health center	
revenue fund (385-00-2828-2851).....	No limit
Horace Mann building	
renovation fund (385-00-2833).....	No limit
Revenue 2014A fund (385-00-5106-5105).....	No limit
Nurse faculty loan program federal fund (385-00-3596-3596).....	No limit
Coronavirus relief federal fund (385-00-3753).....	No limit
Governor's emergency education	
relief fund (385-00-3638).....	No limit
American rescue plan – state fiscal relief –	
federal fund (385-00-3756).....	No limit

(c) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$145,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596).

Sec. 109.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (682-00-1000-0023).....	\$154,334,769

*Provided*, That any unencumbered balance in the operating expenditures (including

official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Geological survey (682-00-1000-0170).....\$8,872,417

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2024, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2024 for: (1) Seismic surveys in an amount not less than \$100,000; (2) critical program restoration including operating costs to fund six full-time positions, two scientists and one data technician in the water resources program, who will operate out of field offices in southwest Kansas, two scientists in the energy program and one software developer in the digital technology program, in an amount not less than \$1,100,000; and (3) critical staff retention in an amount of not less than \$800,000.

Umbilical cord

matrix project (682-00-1000-0370).....\$147,719

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$4,099,160

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities

revenue fund (682-00-5175-5070).....No limit

*Provided*, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction

matching fund (682-00-2475-2500).....No limit

General fees fund (682-00-2107-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000).....No limit

Sponsored research

overhead fund (682-00-2905-2160).....No limit

Law enforcement training

center fund (682-00-2133-2020).....No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*, That expenditures may be made from the law enforcement training center fund for the acquisition of tracts of land.

Law enforcement training center

fees fund (682-00-2763-2700).....No limit

*Provided*, That all moneys received for tuition from students enrolling in the basic

law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030).....No limit

Kansas career work study

program fund (682-00-2534-2050).....No limit

Student union fund (682-00-5137-5040).....No limit

Federal Perkins loan fund (682-00-7512-7040).....No limit

Health professions student

loan fund (682-00-7513-7050).....No limit

Housing system

suspense fund (682-00-5704-5150).....No limit

Housing system

operations fund (682-00-5142-5050).....No limit

Housing system repairs, equipment and

improvement fund (682-00-5621-5110).....No limit

Educational opportunity act – federal fund (682-00-3842-3020).....	No limit
Loans for disadvantaged students fund (682-00-7510-7100).....	No limit
Prepaid tuition fees clearing fund (682-00-7765).....	No limit
Kansas comprehensive grant fund (682-00-7226-7110).....	No limit
Fire service training fund (682-00-2123-2170).....	No limit
University federal fund (682-00-3147).....	No limit
Johnson county education research triangle fund (682-00-2393-2390).....	No limit
Temporary deposit fund (682-00-9061-9020).....	No limit
Suspense fund (682-00-9060-9010).....	No limit
BPC clearing fund (682-00-9119-9050).....	No limit
Mandatory retirement annuity clearing fund (682-00-9142-9030).....	No limit
Voluntary tax shelter annuity clearing fund (682-00-9167-9040).....	No limit
Agency payroll deduction clearing fund (682-00-9193-9060).....	No limit
Pre-tax parking clearing fund (682-00-9224-9200).....	No limit
University payroll fund (682-00-9806).....	No limit
GTA/GRA emp health insurance clearing fund (682-00-9063-9070).....	No limit
Standard water data repository fund (682-00-2463-2463).....	No limit
Multicultural reser center construction fund (682-00-2890-2890).....	No limit
Kan-grow engineering fund – KU (682-00-2153-2153).....	No limit
Child care facility revenue bond fund (682-00-2372).....	No limit
Student recreation fitness center K DFA fund (682-00-2864-2860).....	No limit
Student union renovation revenue fund (682-00-5171-5060).....	No limit
Parking facility K DFA 1993G revenue fund (682-00-5175-5070).....	No limit
Student health facility maintenance, repair and equipment fee fund (682-00-5640-5120).....	No limit
Coronavirus relief federal fund (682-00-3753).....	No limit
Governor's emergency education relief fund (682-00-3638).....	No limit
American rescue plan – state fiscal relief – federal fund (682-00-3756).....	No limit

University of Kansas and Wichita state university

health collaboration fund.....No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050); loans for disadvantaged students fund (682-00-7510-7100).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....\$26,841

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the geological survey account is hereby reappropriated for fiscal year 2024.

Sec. 110.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Geological survey (682-00-1000-0170).....\$850,000

*Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2025, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2025 for critical program restoration including operating costs funding five full-time positions and two part-time positions, two scientists, a part-time scientist and two data technicians in the water resources program, one of whom will operate out of field offices in southwest Kansas, one part-time scientists in the energy program and one software developer in the digital technology program, in an amount not less than \$850,000.

Sec. 111.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, the \$30,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 101(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015) is hereby lapsed.

Sec. 112.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$114,583,832

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health

insurance for residents' dependents.

Medical scholarships

and loans (683-00-1000-0600).....\$4,488,171

*Provided*, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Midwest stem cell

therapy center (683-00-1000-0800).....\$766,320

*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Rural health bridging (683-00-1000-1010).....\$140,000

Medical scholarships and

loans psychiatry (683-00-1000-0610).....\$970,000

*Provided*, That any unencumbered balance in the medical scholarships and loans psychiatry account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Rural health bridging psychiatry (683-00-1000-1015).....\$30,000

*Provided*, That any unencumbered balance in the rural health bridging psychiatry account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$1,120,150

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy

center fund (683-00-2072-2072).....No limit

Faculty of distinction

matching fund (683-00-2476-2400).....No limit

Restricted fees fund (683-00-2551).....No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita

faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund (683-00-2926).....	No limit
Kansas breast cancer research fund (683-00-2671-2660).....	No limit
Sponsored research overhead fund (683-00-2907-2800).....	No limit
Parking facility revenue fund – KC campus (683-00-5176-5550).....	No limit
<i>Provided</i> , That expenditures may be made from the parking facility revenue fund – KC campus for capital improvement projects for parking improvements.	
Parking fee fund – Wichita campus (683-00-5180-5590).....	No limit
<i>Provided</i> , That expenditures may be made from the parking fee fund – Wichita campus for capital improvement projects for parking improvements.	
Services to hospital authority fund (683-00-2915-2900).....	No limit
Direct medical education reimbursement fund (683-00-2918-3000).....	No limit
Service clearing fund (683-00-6007).....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Educational nurse faculty loan program fund (683-00-7505-7540).....	No limit
Federal college work study fund (683-00-3256-3520).....	No limit
AMA education and research grant fund (683-00-7207-7500).....	No limit
Federal health professions/ primary care student	

loan fund (683-00-7516-7560).....	No limit
Federal nursing student	
loan fund (683-00-7517-7570).....	No limit
Suspense fund (683-00-9057-9500).....	No limit
Federal student educational opportunity	
grant fund (683-00-3255-3510).....	No limit
Federal Pell grant fund (683-00-3252-3500).....	No limit
Federal Perkins student	
loan fund (683-00-7515-7550).....	No limit
Medical loan repayment fund (683-00-7214-7520).....	No limit
<i>Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.</i>	
Medical student loan programs provider	
assessment fund (683-00-2625-2650).....	No limit
Graduate medical education administration	
reserve fund (683-00-5652-5640).....	No limit
University of Kansas medical center	
private practice foundation	
reserve fund (683-00-5659-5660).....	No limit
Robert Wood Johnson	
award fund (683-00-7328-7530).....	No limit
Federal scholarship for disadvantaged	
students fund (683-00-3094-3100).....	No limit
Temporary deposit fund (683-00-9058-9510).....	No limit
Mandatory retirement annuity	
clearing fund (683-00-9143-9520).....	No limit
Voluntary tax shelter annuity	
clearing fund (683-00-9168-9530).....	No limit
Agency payroll deduction	
clearing fund (683-00-9194-9600).....	No limit
Pre-tax parking clearing fund (683-00-9225-9200).....	No limit
University payroll fund (683-00-9807).....	No limit
University federal fund (683-00-3148).....	No limit
Leveraging educational assistance partnership	
federal fund (683-00-3223-3200).....	No limit
Johnson county education research	
triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan	
repayment fund (683-00-7233-7233).....	No limit
Rural health bridging	
psychiatry fund (683-00-2218-2218).....	No limit
Cancer center research (683-00-2551-2700).....	No limit
Graduate medical education	
reimbursement fund (683-00-2918-3050).....	No limit
Coronavirus relief federal fund (683-00-3753).....	No limit

Governor's emergency education relief fund (683-00-3638).....	No limit
Cancer research and public information trust fund (683-00-2925-2925).....	No limit
American rescue plan – state fiscal relief – federal fund (683-00-3756).....	No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2024, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 113.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$75,748,384
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Aviation research (715-00-1000-0015).....	\$10,000,000
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*Provided*, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the aviation research account expended for fiscal year 2024 shall be matched by Wichita state university on a \$1-for-\$1 basis from other moneys of Wichita state university: *And provided further*, That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2024.

Technology transfer facility (715-00-1000-0005).....	\$2,000,000
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*Provided*, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Aviation infrastructure (715-00-1000-0010).....	\$5,200,000
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*Provided*, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That during the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2024 by Wichita

state university by this or other appropriation act of the 2023 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2024 may only be expended for training and equipment expenditures of the national center for aviation training.

Student aid for financial need.....\$4,246,340

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above:

*Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction

    matching fund (715-00-2477-2400).....No limit

Kansas career work study

    program fund (715-00-2536-2020).....No limit

Scholarship funds fund (715-00-7211-7000).....	No limit
Sponsored research	
overhead fund (715-00-2908-2080).....	No limit
Economic opportunity act –	
federal fund (715-00-3265-3100).....	No limit
Educational opportunity grant –	
federal fund (715-00-3266-3110).....	No limit
Nine month payroll clearing	
account fund (715-00-7717-7030).....	No limit
Pell grants federal fund (715-00-3366-3120).....	No limit
Housing system	
suspense fund (715-00-5705-5160).....	No limit
WSU housing system depreciation and	
replacement fund (715-00-5800-5260).....	No limit
National direct student	
loan fund (715-00-7519-7010).....	No limit
WSU housing systems	
revenue fund (715-00-5100-5250).....	No limit
WSU housing system	
surplus fund (715-00-5620-5270).....	No limit
University federal fund (715-00-3149-3140).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Center of innovation for biomaterials in	
orthopaedic research – Wichita state	
university fund (715-00-2750-2700).....	No limit
Kan-grow engineering	
fund – WSU (715-00-2155-2155).....	No limit
Aviation research fund (715-00-2052-2052).....	No limit
Temporary deposit fund (715-00-9059-9500).....	No limit
Suspense fund (715-00-9077).....	No limit
Mandatory retirement annuity	
clearing fund (715-00-9144-9520).....	No limit
Voluntary tax shelter annuity	
clearing fund (715-00-9169-9530).....	No limit
Agency payroll deduction	
clearing fund (715-00-9198-9400).....	No limit
Pre-tax parking	
clearing fund (715-00-9226-9200).....	No limit
Parking system project K DFA bond	
revenue fund (715-00-5148-5000).....	No limit
Parking system project	
maintenance K DFA revenue	
bond fund (715-00-5159-5040).....	No limit
Coronavirus relief federal fund (715-00-3753).....	No limit

Governor's emergency education relief fund (715-00-3638).....	No limit
American rescue plan – state fiscal relief – federal fund (715-00-3756).....	No limit
Wichita state university and university of Kansas health collaboration fund.....	No limit

Sec. 114.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Tuition waivers (561-00-1000-1650).....	\$150,000
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*Provided*, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That notwithstanding the provisions of K.S.A. 75-4364(d), and amendments thereto, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement of claims up to the amount of appropriation available for such waivers in fiscal year 2023.

(b) On the effective date of this act, during the fiscal year ending June 30, 2023, in addition to the provisions of section 160(a) of chapter 81 of the 2022 Session Laws of Kansas, the state board of regents, with the approval of the director of the budget, is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to the following demolition of buildings accounts of the state general fund, which are hereby created: The university of Kansas demolition of buildings; the university of Kansas medical center demolition of buildings; Kansas state university demolition of buildings; Kansas state university polytechnic campus demolition of buildings; Kansas state university veterinary medical center demolition of buildings; Kansas state university extension systems and agriculture research programs demolition of buildings; Wichita state university demolition of buildings; Emporia state university demolition of buildings; Pittsburg state demolition of buildings; and Fort Hays state university demolition of buildings: *Provided*, That all moneys transferred to such accounts are appropriated for the fiscal year ending June 30, 2023, and shall be expended by such institutions for demolition projects approved by the state board of regents: *And provided further*; That the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such transfer to the director of the budget and to the director of legislative research.

(c) On the effective date of this act, the provisions of section 110(a) of chapter 81 of the 2022 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 115.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....	\$5,009,794
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That, during fiscal year 2024,

notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2024 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2024, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2024 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2024, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2024 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education	
commission (561-00-1000-0250).....	\$115,000
State scholarship program (561-00-1000-4300).....	\$3,035,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the state scholarship program

account for the state scholarship program under K.S.A. 74-32,239, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*; That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500).....\$35,258,338

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis: *Provided, however*; That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in fiscal year 2022.

Ethnic minority

scholarship program (561-00-1000-2410).....\$296,498

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas work-study program (561-00-1000-2000).....\$546,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*; That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....\$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Military service scholarships (561-00-1000-1310).....\$500,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship

program (561-00-1000-0800).....\$3,094,046

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

National guard educational

assistance (561-00-1000-1300).....\$5,400,000

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That moneys in the national guard educational

assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical

workforce grant (561-00-1000-2200).....\$114,075

*Provided*, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nursing student scholarship

program (561-00-1000-4100).....\$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Optometry education program (561-00-1000-1100).....\$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Municipal university

operating grant (561-00-1000-1010).....\$14,000,000

Adult basic education (561-00-1000-0900).....\$1,457,031

Postsecondary tiered technical education

state aid (561-00-1000-0760).....\$66,064,478

*Provided*, That, notwithstanding the provisions of K.S.A. 71-1801 through 71-1810, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$915,928; Barton community college, \$3,140,667; Butler community college, \$4,492,663; Cloud county community college, \$1,217,936; Coffeyville community college, \$1,044,337; Colby community college, \$1,364,880; Cowley community college, \$2,043,860; Dodge City community college, \$955,822; Flint Hills technical college, \$1,821,433; Fort Scott community college, \$1,423,883; Garden City community college, \$1,134,582; Highland community college, \$1,549,554; Hutchinson community college, \$5,640,548; Independence community college, \$399,192; Johnson County community college, \$7,940,462; Kansas City, Kansas community college, \$4,408,372; Labette community college, \$1,056,481; Manhattan Area technical college, \$2,028,420; Neosho county community college, \$1,468,764; north central Kansas technical college, \$2,891,287; northwest Kansas technical college, \$2,014,074; Pratt community college, \$1,141,410; Salina area technical college, \$1,675,677; Seward county community college, \$1,108,653; institute of technology at Washburn university, \$3,718,573; and Wichita state university campus of applied sciences and technology, \$9,467,020.

Non-tiered course credit

hour grant (561-00-1000-0550).....\$95,407,915

*Provided*, That expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$4,006,236; Barton community college, \$8,049,846; Butler community college, \$14,515,023; Cloud county community college, \$3,013,747; Coffeyville community college, \$1,628,863; Colby community college, \$1,734,353; Cowley community college, \$4,185,440; Dodge City community college, \$1,609,972; Flint Hills technical

college, \$799,475; Fort Scott community college, \$1,967,561; Garden City community college, \$2,030,083; Highland community college, \$3,958,591; Hutchinson community college, \$6,615,906; Independence community college, \$1,147,118; Johnson County community college, \$17,741,594; Kansas City, Kansas community college, \$5,721,958; Labette community college, \$2,113,258; Manhattan Area technical college, \$765,308; Neosho county community college, \$2,147,269; north central Kansas technical college, \$902,820; northwest Kansas technical college, \$1,048,581; Pratt community college, \$1,427,408; Salina area technical college, \$802,707; Seward county community college, \$1,647,518; institute of technology at Washburn university, \$429,410; and Wichita state university campus of applied sciences and technology, \$5,397,870.

Technology equipment at community colleges and

Washburn university (561-00-1000-0500).....\$398,475

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Career technical education capital

outlay aid (561-00-1000-0310).....\$4,871,585

*Provided*, That all such moneys in the career technical education capital outlay aid account shall be distributed equally among the technical colleges and any community college that offers one or more technical programs as defined in K.S.A. 71-1802, and amendments thereto: *Provided further*; That all expenditures from such account shall require a local match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either a nonstate or private donation.

Tuition waivers (561-00-1000-1650).....\$500,000

*Provided*, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2024.

Nurse educator

grant program (561-00-1000-4120).....\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies

grant program (561-00-1000-4130).....\$1,787,193

*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That the state board of regents is hereby authorized to make grants to Kansas postsecondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of

nursing faculty and laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Tuition for technical education (561-00-1000-0120).....\$39,850,000

*Provided*, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2024, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2024 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course: *And provided further*, That, such expenditures shall be in an amount not less than \$500,000: *And provided further*, That during the fiscal year ending June 30, 2024, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement: *And provided further*, That upon determining the amount of reimbursement for each eligible college, such amount shall be increased by 5% to assist in covering any rising personnel costs.

Governor's scholars program (561-00-1000-0950).....\$20,000

*Provided*, That any unencumbered balance in the governor's scholars program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

*Provided*, That any unencumbered balance in the Kansas promise scholarship account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Computer science preservice

educator grant (561-00-1000-4700).....\$1,000,000

*Provided*, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Community colleges' and technical colleges'

cybersecurity and IT infrastructure.....\$6,500,000

*Provided*, That all expenditures from the community colleges' and technical colleges' cybersecurity and IT infrastructure account shall be made to provide to each community college, technical college and Washburn institute of technology \$250,000: *Provided further*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*,

That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity upgrades and improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$6,500,000 as available from such funds to the special revenue fund of the above agency and as designated by the chief executive officer of the state board of regents for the purpose of funding such information technology and cybersecurity upgrades and improvements: *And provided further*, That on the effective date of such transfer, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the community colleges' and technical colleges' cybersecurity and IT infrastructure account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Washburn ensuring pathways to student success.....	\$437,700
Washburn university student aid for financial need.....	\$1,784,260
Two year college apprenticeship act .....	\$14,300,000

*Provided*, That all expenditures from the two year college apprenticeship act account shall be distributed to the community colleges and technical colleges based on the number of full-time students enrolled at each such college during school year 2022-2023.

Community college capital outlay aid.....	\$5,000,000
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*Provided*, That all such moneys in the community college capital outlay aid account shall be distributed to any community college that does not offer technical programs as defined in K.S.A. 71-1802, and amendments thereto, based on the number of full-time students enrolled at each such college during school year 2022-2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund (561-00-7216-6300).....	No limit
KAN-ED services fee fund (561-00-2814-2814).....	No limit
Earned indirect costs fund – federal (561-00-3642-3600).....	No limit
Faculty of distinction program fund (561-00-7200-7050).....	No limit
Paul Douglas teacher scholarship fund – federal (561-00-3879-3950).....	No limit
GED credentials processing fees fund (561-00-2151-2100).....	No limit
Tuition waiver gifts, grants and	

reimbursements fund (561-00-7230-7230).....	No limit
Adult basic education –	
federal fund (561-00-3042-3000).....	No limit
Truck driver training fund (561-00-2172-4900).....	No limit
State scholarship discontinued	
attendance fund (561-00-7213-6100).....	No limit
Kansas ethnic minority fellowship	
program fund (561-00-7238-7600).....	No limit
Private postsecondary educational institution degree	
authorization expense reimbursement	
fee fund (561-00-2643-3300).....	No limit
Nursing service scholarship	
program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100).....	No limit
Conversion of materials and	
equipment fund (561-00-2433-3200).....	No limit
Motorcycle safety fund (561-00-2366-2360).....	No limit
Financial aid services	
fee fund (561-00-2280-2800).....	No limit
<i>Provided</i> , That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents:	
<i>Provided further</i> , That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: <i>And provided further</i> , That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: <i>And provided further</i> , That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.	
Inservice education workshop	
fee fund (561-00-2266).....	No limit
Optometry education	
repayment fund (561-00-7203-7100).....	No limit
Teacher scholarship	
repayment fund (561-00-7205-7200).....	No limit
Nursing service scholarship	
repayment fund (561-00-7210-7400).....	No limit
Nurse educator service scholarship	
repayment fund (561-00-7231-7300).....	No limit
ROTC service scholarship	
repayment fund (561-00-7232-7232).....	No limit
Carl D. Perkins vocational	
and technical education –	
federal fund (561-00-3539-3539).....	No limit
Kansas national guard	
educational assistance program	

repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state	
postsecondary educational institution	
fee fund (561-00-2614-2610).....	No limit
USAC E-rate program	
federal fund (561-00-3920-3920).....	No limit
Postsecondary education performance-based	
incentives fund (561-00-2777-2777).....	No limit
Private donations, gifts, grants	
bequest fund (561-00-7262-7700).....	No limit
Coronavirus relief federal fund (561-00-3753).....	No limit
Governor's emergency education	
relief fund (561-00-3638).....	No limit
Kansas high school equivalency credential	
processing fee fund (561-00-2832-2832).....	No limit
American rescue plan – state fiscal relief –	
federal fund (561-00-3756).....	No limit
Transportation research fund.....	No limit

*Provided*, That expenditures shall be made by the above agency from the transportation research fund to make distributions to Kansas state university, the university of Kansas and Wichita state university for transportation research projects at such institutions.

(c) During the fiscal year ending June 30, 2024, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2024, to another item of appropriation in an account of the state general fund for fiscal year 2024. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account" means any account of the state general fund of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university Kansas state university polytechnic campus, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for such state educational institution as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization

of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2024: *Provided, however;* That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further;* That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further;* That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further;* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further;* That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further;* That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further;* That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2024 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

SEDIF – career technical education capital

outlay aid (561-00-1900-1950).....\$2,547,726

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2023, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2024: *Provided further;* That expenditures from the SEDIF – career technical education capital outlay aid account for each grant of career technical education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and

internship program (561-00-1900-1960).....\$179,284

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2023, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2024.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265

Community and technical college

competitive grants (561-00-1900-1980).....\$500,000

*Provided,* That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a

competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1-for-\$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to implement the legislative intent for fiscal year 2025, to fully implement the funding formula for the community colleges and technical colleges concerning the postsecondary tiered technical education state aid and non-entire course credit hour grants.

(g) (1) In addition to the other purposes for which expenditures may be made by any postsecondary educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for such postsecondary educational institution as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by such postsecondary educational institution from such moneys for fiscal year 2024 for the purpose of deeming any person who is enrolled as a member of the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, the Prairie Band Potawatomi Nation, the Iowa Tribe of Kansas, the Sac and Fox Nation of Missouri in Kansas and Nebraska or of indigenous nations with historical connections to Kansas territories named in this subsection, regardless of the residence of such person prior to admission at a postsecondary educational institution, as a resident of this state for the purpose of tuition and fees for attendance at any postsecondary educational institution.

(2) As used in this subsection:

(A) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto; and

(B) "indigenous nations with historical connections to Kansas territories" means the following federally recognized tribes: Apache Tribe of Oklahoma, the Cheyenne and Arapaho Tribes of Oklahoma, the Cherokee Nation, the Cheyenne and Arapaho Tribes of Oklahoma, the Chippewa, the Comanche Nation of Oklahoma, the Delaware Tribe of Indians, the Kaw Nation of Oklahoma, the Kiowa Indian Tribe of Oklahoma, the Miami Tribe of Oklahoma, the Oneida Nation, the Oneida Indian Nation, the Osage Nation, the Otoe-Missouria Tribe of Indians of Oklahoma, the Ottawa Tribe of Oklahoma, the Little River Band of Ottawa Indians, the Grand Traverse Bay Band of Ottawa and Chippewa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Band of Odawa Indians, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Michigan Bands of the Ottawa/Odawa, the Pawnee Nation of Oklahoma, the Peoria Tribe of Indians of Oklahoma, the Quapaw Tribe of Indians, the Shawnee Tribe, the Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie) of Oklahoma, and the Wyandotte Nation.

(h) (1) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of any statute to the contrary, no expenditures shall be

made by any postsecondary educational institution from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal years 2024 and 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, to: (A) Compel, require, induce or solicit, encourage or coerce any applicant, employee, student or contractor to: (i) Endorse or oppose any ideology, including the ideology of diversity, equity or inclusion; or (ii) provide a statement articulating their experience, commitment to, or expertise in diversity, equity or inclusion, unless expressly permitted to do so pursuant to paragraph (2); or (B) provide preferential consideration to any applicant, employee, student or contractor on the basis of such person's provision of an unsolicited statement of a commitment to an ideology, including the ideology of diversity, equity or inclusion, unless expressly permitted to do so pursuant to paragraph (2): *Provided, however*, That nothing in this subsection shall be construed to authorize any such institution to limit or restrict the academic freedom of any faculty member or to prevent such faculty member from teaching, researching or writing: *Provided*, That on or before June 30, 2024, and June 30, 2025, each postsecondary educational institution's office of general counsel shall transmit a written report on such institution's compliance with this subsection to the director of legislative research and the attorney general: *Provided, however*, That the provisions of this subsection shall not apply to equal opportunity or equal employment opportunity materials designed to inform individuals about the prohibition on discrimination based on protected status under state and federal law: *Provided further*, That expenditures may be made by such institution's to require a student, employee or contractor to comply with federal or state law, including anti-discrimination laws, and take action against a student, employee or contractor for violations of federal or state law.

(2) Nothing in this subsection shall be construed to prohibit such institution from considering, in good faith, an applicant's, employee's, student's or contractor's scholarship, teaching or subject matter expertise in their respective field.

(3) As used in this subsection, "postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$9,000,000 from the transportation technology development fund (276-00-2835-2835) of the department of transportation to the transportation research fund of the state board of regents.

(j) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements at state universities, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and

upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$5,000,000 as available from such funds to the special revenue fund of the above agency designated by the chief executive officer of the above agency for the purpose of funding such projects: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such projects shall not be funded pursuant to this subsection.

(k) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements at Washburn university, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$450,000 as available from such funds to the special revenue fund of the above agency designated by the chief executive officer of the above agency for the purpose of funding such projects: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such projects shall not be funded pursuant to this subsection.

Sec. 116.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Comprehensive grant program (561-00-1000-4500).....\$35,258,338

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis: *Provided, however*, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in fiscal

year 2022.

Ethnic minority scholarship program (561-00-1000-2410).....\$296,498

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas work-study program (561-00-1000-2000).....\$546,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*; That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....\$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Military service scholarships (561-00-1000-1310).....\$500,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$3,094,046

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

National guard educational assistance (561-00-1000-1300).....\$5,400,000

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical workforce grant (561-00-1000-2200).....\$114,075

*Provided*, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Nursing student scholarship program (561-00-1000-4100).....\$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Optometry education program (561-00-1000-1100).....\$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Tuition waivers (561-00-1000-1650).....\$500,000

*Provided*, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2025.

Nurse educator grant program (561-00-1000-4120).....\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Governor's scholars program (561-00-1000-0950).....\$20,000

*Provided*, That any unencumbered balance in the governor's scholars program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

*Provided*, That any unencumbered balance in the Kansas promise scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Computer science preservice

educator grant (561-00-1000-4700).....\$1,000,000

*Provided*, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Sec. 117.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Lansing correctional facility –

facilities operations (400-00-1000-0303).....\$746,226

Winfield correctional facility –

facilities operations (712-00-1000-0303).....\$504,498

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Facility study KJCC (521-00-8100-8037).....\$60,000

(c) Notwithstanding the provisions of section 140 of chapter 81 of the 2022 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund to the community corrections account (521-00-1000-0220) for fiscal year 2023 as authorized by section 112 and section 140 of chapter 81 and section 37 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys in fiscal year 2023 to authorize any county grant recipient to use such funding for the hiring of additional employees as may be necessary for such county's community

corrections program: *Provided*, That if any county grant recipient was withheld funds by the above agency in fiscal year 2023 because such grant recipient was planning to use such funds to hire additional employees, the above agency shall expend such withheld funds to such grant recipient for such purpose.

Sec. 118.

#### DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (521-00-1000-0603).....\$46,813,194

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220).....\$26,098,494

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2024 that supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510).....\$1,550,000

*Provided*, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs –

offender programs (521-00-1000-0151).....\$12,194,073

*Provided*, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Treatment and programs – medical

and mental (521-00-1000-0152).....\$81,858,526

*Provided*, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024

Department of corrections

hepatitis C treatment (521-00-1000-0153).....\$6,000,000

*Provided*, That any unencumbered balance in the department of corrections hepatitis C treatment account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Treatment and programs –

KUMC contract (521-00-1000-0154).....\$2,120,373

*Provided*, That any unencumbered balance in the treatment and programs – KUMC

contract account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures –

juvenile services (521-00-1000-0103).....\$1,638,798

*Provided*, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Evidence-based programs (521-00-1000-0050).....\$12,524,942

*Provided*, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

*Provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made from this account to conduct research into, and development of, evidence-based practices to reduce offender behavior and recidivism among juveniles: *Provided, however*; That the expenditures for such research and development shall not exceed \$1,000,000: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the evidence-based programs account for the jobs for America's graduates-Kansas programs: *Provided, however*; That the expenditures for such programs shall not exceed \$3,500,000: *And provided further*; That expenditures shall be made by the above agency from such account to require jobs for American's graduates-Kansas to submit a report to the Kansas juvenile justice oversight committee established by K.S.A. 75-52,161, and amendments thereto, on or after June 15, 2024, but on or before June 30, 2024: *And provided further*; That such report shall include the number of youths served and performance outcomes.

Prevention and graduated sanctions

community grants (521-00-1000-0221).....\$23,101,389

*Provided*, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That moneys awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Purchase of services (521-00-1000-0300).....\$906,795

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Debt service payments – data

systems replacement (521-00-1000-0702).....\$3,346,286

Topeka correctional facility –

facilities operations (660-00-1000-0303).....\$21,430,596

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility –

facilities operations (313-00-1000-0303).....\$44,921,997

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility –

facilities operations (400-00-1000-0303).....\$41,535,294

*Provided*, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility –

facilities operations (177-00-1000-0303).....\$20,023,071

*Provided*, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility –

facilities operations (712-00-1000-0303).....\$23,113,646

*Provided*, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility –

facilities operations (581-00-1000-0303).....\$21,614,285

*Provided*, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility –

facilities operations (195-00-1000-0303).....\$39,156,165

*Provided*, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility –

facilities operations (408-00-1000-0303).....\$15,899,213

*Provided*, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex – facilities operations (352-00-1000-0303).....\$23,817,040

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex –facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$15,376,246

*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Juvenile crime

community prevention (521-00-1000-0051).....\$1,500,000

*Provided*, That, expenditures shall be made by such agency from such account during fiscal year 2024 to provide grants to communities for evidence-based juvenile crime prevention programs: *Provided further*; That, at least \$500,000 of such grants shall require a \$1-for-\$1 local or private match.

Equipment replacements (521-00-1000).....\$756,213

*Provided*, That any unencumbered balance in the equipment replacements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Vehicle replacements (521-00-1000).....\$899,293

*Provided*, That any unencumbered balance in the vehicle replacements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Pathways to purpose pilot program.....\$1,400,000

*Provided*, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2024 to implement a pilot program on or before October 1, 2023, to gauge the effectiveness of prescription digital therapeutics authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder on incarcerated adult offenders in the custody of the secretary of corrections: *Provided further*; That for the purposes of such program, the above agency shall determine the following: (1) Number of sites at which the pilot program will be conducted including regions that are geographically diverse; (2) eligibility requirements for pilot program participants; and (3) specific types of prescription digital therapeutics that will be prescribed and evaluated under the pilot program as authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder: *And provided further*; That as used in this subsection, "prescription digital therapeutics authorized by the federal food and drug administration" or "prescription digital therapeutics" means a product, device, internet application or other technology that is intended to prevent, manage or treat a medical disease, condition or disorder, is approved, cleared or classified by the food and drug administration under 21 U.S.C. 360(k), 21 U.S.C. 360c(f) or 21 U.S.C. 360e for such intended use, utilizes both cognitive behavior therapy and contingency management to treat substance use disorder and opioid use disorder, and requires a prescription under 21 C.F.R. § 801.109.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100).....	No limit
Justice reinvestment technical assistance for state governments project – federal fund (521-00-3758-3758).....	No limit
Residential substance abuse treatment – federal fund (521-00-3006).....	No limit
Department of corrections forensic psychologist fund (521-00-2492-2492).....	No limit
<i>Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.</i>	
Ed Byrne memorial justice assistance grants – federal fund (521-00-3057).....	No limit
Violence against women – federal fund (521-00-3214).....	No limit
Title VI-B special education – federal fund (521-00-3234).....	No limit
Department of corrections state asset forfeiture fund (521-00-2460-2400).....	No limit
Prisoner reentry intv demo – federal fund (521-00-3063).....	No limit
Federal asset forfeiture – federal fund (521-00-3063-3713).....	No limit
Victims of crime act – federal fund (521-00-3260).....	No limit
Correctional industries fund (522-00-6126-7300).....	No limit
<i>Provided, That expenditures may be made from the correctional industries fund for official hospitality.</i>	
Ed Byrne state and local law assistance – federal fund (521-00-3213-3213).....	No limit
Bulletproof vest partnership – federal fund (521-00-3216-3216).....	No limit
Workforce investment act – federal fund (521-00-3237-3237).....	No limit
USMS reimbursement – federal fund (521-00-3562-3562).....	No limit
Second chance act – federal fund (521-00-3895-3895).....	No limit
Alcohol and drug abuse treatment fund (521-00-2339-2110).....	No limit
<i>Provided, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.</i>	

State of Kansas – department of corrections inmate benefit fund (521-00-7950-5350).....	No limit
Department of corrections – alien incarceration grant fund – federal (521-00-3943-3800).....	No limit
Department of corrections – general fees fund (521-00-2427-2450).....	No limit
<i>Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: Provided further, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.</i>	
Juvenile justice delinquency prevention federal fund (521-00-3351).....	No limit
Juvenile alternatives to detention fund (521-00-2250).....	No limit
<i>Provided, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: Provided, however, That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$100,000: And provided further, That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2024 for purchase of services: And provided further, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for graduated sanctions.</i>	
Juvenile justice fee fund central office (521-00-2257).....	No limit
Title IV-E fund (521-00-3337).....	No limit
Juvenile delinquency prevention trust fund (521-00-7322-7000).....	No limit
Title I program for neglected and delinquent children – federal fund (521-00-3009).....	No limit
Topeka correctional facility – community development block grant – federal fund (660-00-3669-3669).....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund (660-00-3582-3200).....	No limit
Topeka correctional facility – general fees fund (660-00-2090-2090).....	No limit
Hutchinson correctional facility – general fees fund (313-00-2051-2000).....	No limit

Lansing correctional facility – general fees fund (400-00-2040-2040).....	No limit
Ellsworth correctional facility – general fees fund (177-00-2227-2000).....	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000).....	No limit
Norton correctional facility – general fees fund (581-00-2238-2000).....	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000).....	No limit
Larned correctional mental health facility – general fees fund (408-00-2145-2000).....	No limit
Kansas juvenile correctional complex – fee fund (352-00-2321-2300).....	No limit
Kansas juvenile correctional complex – gifts, grants and donations fund (352-00-7016-7000).....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund (352-00-3009).....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex (352-00-3057-3057).....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex (352-00-3529-3529).....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex (352-00-3530-3530).....	No limit
Community corrections special revenue fund (521-00-2447-2447).....	No limit
Medical assistance program – federal fund (521-00-3414).....	No limit
Byrne grant – federal fund (521-00-3353-3200).....	No limit
ICJR – federal fund.....	No limit
Second chance act reentry initiative – federal fund (521-00-3985-3901).....	No limit
Coronavirus relief fund – federal fund (521-00-3756).....	No limit
Prison rape elimination act (PREA) justice assistance grant – federal fund (521-00-3758).....	No limit
Violence against women – federal fund (521-00-3082).....	No limit
Distance learning and telemedicine – federal fund (521-00-3025).....	No limit
Elementary & secondary schools emergency relief –	

federal fund (521-00-3638).....	No limit
Economic adjustment assistance –	
federal fund (521-00-3415).....	No limit
Detection & mitigation of COVID-19	
in confinement facilities –	
federal fund (521-00-3649).....	No limit
JRI technical assistance & training – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2024, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2024 from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2024 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2024 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2023, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2023.

(f) During the fiscal year ending June 30, 2024, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2024, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) Notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2024, the director of accounts and reports shall

transfer the amount certified pursuant to K.S.A. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence-based programs account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,911 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the El Dorado correctional facility – general fees fund (195-00-2252-2000) of the department of corrections.

(j) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$57,084 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Lansing correctional facility – general fees fund (400-00-2040-2040) of the department of corrections.

(k) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$122,969 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Norton correctional facility – general fees fund (581-00-2238-2000) of the department of corrections.

(l) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$91,313 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Topeka correctional facility – general fees fund (660-00-2090-2090) of the department of corrections.

Sec. 119.

#### DEPARTMENT OF CORRECTIONS

(a) Any unencumbered balance in the pathways to purpose pilot program account of the state general fund for the above agency in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2025 to continue such pilot program subject to the provisions in section 118(a).

Sec. 120.

#### DEPARTMENT OF CORRECTIONS

(a) Any unencumbered balance in the pathways to purpose pilot program account of the state general fund for the above agency in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided*, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2026 to continue such pilot program subject to the provisions in section 118(a) through December 1, 2025: *Provided further*, That the above agency shall submit a report to the Kansas legislature on or before June 30, 2026, on the impact of such pilot program: *And provided further*, That such report shall include, but not be limited to, the following: (1) The number and location of pilot program sites; (2) the number of pilot program participants selected to participate at each site and a description of such participant's substance use disorder and individual opioid use disorder treatment plans prior to and upon entering such pilot program, ensuring that such participants are not individually identified; (3) identification of the specific prescription digital therapeutics prescribed to treat participants and an evaluation of such therapeutics effectiveness, as measured by the successful completion of the participants' individual treatment goals; (4) an explanation of whether and how the prescription digital therapeutics prescribed to

participants improved such participant's access to treatment; (5) a review of participant satisfaction with the prescription digital therapeutics prescribed for such participant's treatment; (6) the impact of the pilot program on issues related to health outcomes and the hospitalization, if any, of participants, as compared to the participants' population at large; (7) the successes and challenges of the pilot program; (8) any recommendations for future coverage of prescription digital therapeutics by state-funded healthcare programs, along with a cost-benefit analysis for such coverage; and (9) any other information the above agency deems relevant in examining the effectiveness of use of the prescription digital therapeutics.

Sec. 121.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Disaster relief (034-00-1000-0200).....\$1,600,000

Sec. 122.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (034-00-1000-0053).....\$6,066,716

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500.

Civil air patrol – operating expenditures (034-00-1000-0103).....\$42,236

Disaster relief (034-00-1000-0200).....\$3,400,000

*Provided*, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Military activation payments (034-00-1000-0300).....\$6,000

*Provided*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 75-3228, and amendments thereto.

Kansas military emergency relief (034-00-1000-0400).....\$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or

interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Office of emergency communication (034-00-1000-0800).....\$297,000

*Provided*, That any unencumbered balance in the office of emergency communication account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in excess of \$100 as of June 30, 2023, each of the following accounts is hereby reappropriated for fiscal year 2024: Force protection (034-00-1000-0500); and calibrators decommission and replacement (034-00-1000-0110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit  
 General fees fund (034-00-2102) .....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund (034-00-2496-2496) .....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund –  
 military division (034-00-2400-2030) .....No limit  
 Adjutant general expense fund (034-00-2357).....No limit  
 State asset forfeiture fund (034-00-2498-2498).....No limit  
 State emergency fund (034-00-2437).....No limit

State emergency fund weather disasters 5/4/2007 (034-00-2441).....	No limit
State emergency fund weather disasters 12/06, 7/07 (034-00-2445).....	No limit
Disaster grants – public assistance federal fund (034-00-3005).....	No limit
National guard military operations/maintenance federal fund (034-00-3055-3300).....	No limit
Econ adjustment/military installation federal fund (034-00-3196-3196).....	No limit
Disaster assistance to individual/household federal fund (034-00-3405-3405).....	No limit
Interoperability communication equipment fund (034-00-3449-3449).....	No limit
Pre-disaster mitigation – federal fund (034-00-3268-3269).....	No limit
Hazard material training and planning – federal fund (034-00-3121-3310).....	No limit
State homeland security program federal fund (034-00-3629-3629).....	No limit
Nuclear safety emergency management fee fund (034-00-2081-2200).....	No limit
<i>Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2024 pursuant to agreements, which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.</i>	
Military fees fund – federal (034-00-2152).....	No limit
<i>Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.</i>	
Armories and units general fees fund (034-00-2171-2010).....	No limit
Emergency systems for advanced registration for volunteer health professionals – federal fund (034-00-3748-3748).....	No limit
Civil air patrol – grants and contributions – federal fund (034-00-7315-7000).....	No limit
Coronavirus relief fund – federal fund (034-00-3753).....	No limit
Emergency management performance grant – federal fund (034-00-3342-3342).....	No limit
NG – federal forfeiture fund (034-00-2184-2100).....	No limit
Inaugural expense fund (034-00-2003-2300).....	No limit

Kansas military emergency relief fund (034-00-2658-2650).....No limit  
*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund (034-00-3609-3605) .....No limit

Public safety interoperable communications grant program federal fund (034-00-3340-3340).....No limit

Military construction national guard federal fund (034-00-3192-3192).....No limit

National guard civilian youth opportunities federal fund (034-00-3193-3193).....No limit

Hazard mitigation grant federal fund (034-00-3019).....No limit

Citizen corps federal fund (034-00-3341-3341).....No limit

Law enforcement terrorism prevention program federal fund (034-00-3613-3600).....No limit

Safe and drug-free schools and communities national programs federal fund (034-00-3569-3569).....No limit

Great plains joint regional training center fee fund (034-00-2688-2688).....No limit  
*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or

not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program –

federal fund (034-00-3576-3576).....No limit  
Military honors funeral fund (034-00-2789-2789).....No limit

*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2024 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant –

federal fund (034-00-3320-3320).....No limit

Kansas national guard counter drug state

forfeiture fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2024 made by this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2024 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2023, the director of accounts and reports shall transfer all moneys in the national guard museum assistance fund (034-00-8306-8300) of the adjutant general to the armories and units general fees fund (034-00-2171-2010) of the adjutant general.

On July 1, 2023, all liabilities of national guard museum assistance fund are hereby transferred to and imposed on the armories and units general fees fund, and the national guard museum assistance fund is hereby abolished.

Sec. 123.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

American rescue plan – state fiscal relief –

federal fund (234-00-3756).....No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the state fire marshal is hereby authorized to transfer moneys during fiscal year 2023 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00-2330-2000) to be expended during fiscal year 2023 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2022 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 124.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund (234-00-2330-2000).....\$7,056,575

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund (234-00-2128-2128).....No limit

*Provided*, That, during the fiscal year ending June 30, 2024, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the boiler inspection fee fund for fiscal year 2024 by the above agency by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from the boiler inspection fee fund for operating expenses of the above agency.

Gifts, grants and

donations fund (234-00-7405-7400).....No limit

Intragovernmental

service fund (234-00-6160-6000).....No limit

Explosives regulatory and

training fund (234-00-2361-2361).....No limit

State fire marshal liquefied petroleum gas

fee fund (234-00-2608-2600).....No limit

Emergency response fund (234-00-2589).....No limit

*Provided*, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2024 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents

without prior approval of the state finance council: *Provided, however,* That expenditures from the emergency response fund during fiscal year 2024 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620).....	No limit
Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630).....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund (234-00-2626-2610).....	No limit
FFY12 HMEP grant – federal fund (234-00-3121-3121).....	No limit
Contract inspections fund (234-00-6122-6122).....	No limit
Elevator safety fee fund (234-00-2854-2854).....	No limit

(b) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided,* That the aggregate amount of such transfers for the fiscal year ending June 30, 2024, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2024, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2024, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2024 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2024 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2024 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(d) During the fiscal year ending June 30, 2024, the director of the budget and the director of legislative research shall consult periodically and review the balance credited

to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2024, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2024 are insufficient to meet in full the estimated expenditures for fiscal year 2024 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2024: *Provided*, That the aggregate amount of such transfers during fiscal year 2024 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2024, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal, may transfer funds from the contract inspections fund (234-00-6122-6122) of the state fire marshal to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(f) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal is hereby authorized to transfer moneys during fiscal year 2024 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00- 2330-2000) to be expended during fiscal year 2024 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2022 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 125.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200).....No limit

*Provided*, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*, That notwithstanding the provisions of article 66 of

chapter 75 of the Kansas Statutes Annotated, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency from the general fees fund, expenditures shall be made by the above agency from such fund to sell the personal sidearm, with a trigger lock, of a part-time state law enforcement officer, who has 10 years or more of service, to such officer, subject to the following: (1) Such officer is resigning; (2) the sale of such personal sidearm shall be for the amount equal to the total of the fair market value of the sidearm, as fixed by the superintendent, plus the cost of the trigger lock; and (3) no sale of a personal sidearm shall be made to any resigning officer unless the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *And provided further*, That all proceeds from the sale of personal sidearms and trigger locks shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

For patrol of Kansas

turnpike fund (280-00-2514-2500) .....No limit

*Provided*, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor

vehicle fund (280-00-2317-2800).....No limit

State forfeiture

fund – pending (280-00-2264-2264).....No limit

Kansas highway patrol state

forfeiture fund (280-00-2413-2100).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Drug tax stamp enforcement fund (280-00-2825-2825).....No limit

Disaster grants – public assistance –

federal fund (280-00-3005-3005).....No limit

Edward Byrne memorial assistance grant –

state and local law enforcement –

federal fund (280-00-3213-3213).....No limit

Bulletproof vest partner –

federal fund (280-00-3216-3216).....No limit

Performance registration

information system management –

federal fund (280-00-3239-3239).....No limit

Commercial vehicle

information system network –

federal fund (280-00-3244-3244).....No limit

Highway planning and construction –

federal fund (280-00-3333-3333).....No limit

KHP federal forfeiture –

federal fund (280-00-3545).....No limit

*Provided*, That expenditures may be made from the KHP federal forfeiture – fund by

the above agency for the capital improvement project or projects for troop F headquarters.

High intensity drug trafficking areas –  
federal fund (280-00-3615-3000).....No limit

Homeland security program –  
federal fund (280-00-3629).....No limit

Edward Byrne memorial  
justice assistance grant –  
federal fund (280-00-3057).....No limit

Emergency ops cntr –  
federal fund (280-00-3808-3808).....No limit

State and community highway safety –  
federal fund (280-00-3815-3815).....No limit

State and local cybersecurity grant program fund.....No limit

Gifts and donations fund (280-00-7331).....No limit  
*Provided*, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program  
state fund (280-00-2208).....No limit

*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program –  
federal fund (280-00-3073).....No limit

*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget (280-00-2368-2360).....No limit

Highway safety fund (280-00-2217-2250).....No limit

Capitol area security fund (280-00-6143-6100).....No limit

Vehicle identification number  
fee fund (280-00-2213).....No limit

Motor vehicle fuel and storeroom  
sales fund (280-00-6155-6200).....No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol  
operations fund (280-00-2034-1100).....\$63,406,017

*Provided*, That expenditures from the Kansas highway patrol operations fund for

official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training

center fund (280-00-2306).....No limit

*Provided*, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund (280-00-6144-6120).....No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund: *And provided further*, That expenditures shall be made from the executive aircraft fund by the above agency in an amount not to exceed \$1,500,000 for the maintenance and operations of any aircraft of the above agency.

1122 program clearing fund (280-00-7280).....No limit

Kansas highway patrol staffing and

training fund (280-00-2211-2211).....No limit

BAU fund (280-00-3092).....No limit

Homeland sec grant prog fund (280-00-7280).....No limit

DUI – IID designation fund.....No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2023, and January 1, 2024, or as soon thereafter each such date as

moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$1,000,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol: *Provided, however*, that such transfers shall not result in an ending balance of less than \$2,800,000 in the motor carrier license fees fund of the state corporation commission during the fiscal year ending June 30, 2024.

(d) Except as provided further, on July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$15,851,504.25 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2024 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2024 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$8,200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol: *Provided*, That expenditures from the above transfer shall be made by the above agency to purchase and equip a new helicopter: *Provided however*, That such acquisition shall not exceed \$6,900,000: *Provided further*, That upon delivery of such new helicopter, the above agency shall station at least one helicopter at the troop T air operations base station supporting the Wichita area.

(h) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the executive aircraft fund (280-00-6144-6120) of the Kansas highway patrol for the purpose of maintaining and operating the executive aircraft.

Sec. 126.

BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Byrne discretionary community fund.....No limit
- Coronavirus emergency supplemental fund (083-00-3671).....No limit

(b) On the effective date of this act, the balance in the principal and interest fund set up for the Kansas bureau of investigation forensic science center and held by the trustee, Security Bank of Kansas city, shall be deposited into the state general fund.

Sec. 127.

ATTORNEY GENERAL – KANSAS  
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

- Operating expenditures (083-00-1000-0083).....\$31,584,847

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated to the operating expenditures account for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

- Meth lab cleanup (083-00-1000-0200).....\$50,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Kansas bureau of investigation state forfeiture fund (083-00-2283).....No limit

*Provided*, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

- Federal forfeiture fund (083-00-3940).....No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

- High intensity drug trafficking area – federal fund (083-00-3349-3100).....No limit

- Federal grants – marijuana eradication – federal fund (083-00-3350).....No limit

- eCitation national priority safety program –  
 federal fund (083-00-3092).....No limit
- Ncs-x grant – federal fund (083-00-3580-3580).....No limit
- Criminal justice information system  
 line fund (083-00-2457).....No limit
- Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.
- DNA database fund (083-00-2676-2700).....No limit
- Kansas bureau of investigation motor  
 vehicle fund (083-00-2344-2050).....No limit
- Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.
- Forensic laboratory and materials  
 fee fund (083-00-2077).....No limit
- Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.
- General fees fund (083-00-2140).....No limit
- Provided*, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local

law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures: *And provided further*; That expenditures from any moneys received from the Kansas criminal justice information system committee and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for training activities and official hospitality.

Record check fee fund (083-00-2044-2010).....No limit

*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental

    service fund (083-00-6119-6100).....No limit

Agency motor pool fund (083-00-6117).....No limit

National criminal history improvement program

    federal fund (083-00-3189-3189).....No limit

Public safety partnership

    and community policing

        federal fund (083-00-3218-3218).....No limit

Forensic DNA backlog reduction

    federal fund (083-00-3226-3226).....No limit

Coverdell forensic sciences improvement

    federal fund (083-00-3227-3227).....No limit

Anti-gang initiative

federal fund (083-00-3229-3229).....	No limit
Homeland security federal fund (083-00-3199).....	No limit
State homeland security program	
federal fund (083-00-3629-3629).....	No limit
Convicted/arrestee DNA backlog reduction	
federal fund (083-00-3489-3489).....	No limit
Disaster grants – public assistance	
federal fund (083-00-3005-3005).....	No limit
Ed Byrne memorial justice assistance	
federal fund (083-00-3057).....	No limit
Ed Byrne state/local law enforcement	
federal fund (083-00-3213-3213).....	No limit
Violence against women – ARRA	
federal fund (083-00-3214).....	No limit
AWA implementation grant program	
federal fund (083-00-3228-3228).....	No limit
Ed Byrne memorial JAG – ARRA	
federal fund (083-00-3455-3455).....	No limit
Convicted offender/arrestee	
DNA backlog reduction	
federal fund (083-00-3489-3489).....	No limit
KBI-FBI reimbursement	
federal fund (083-00-3506-3506).....	No limit
Project safe	
neighborhoods fund (083-00-3217-3217).....	No limit
Social security administration reimbursement –	
federal fund (083-00-3560-3560).....	No limit
Bulletproof vest partnership –	
federal fund (083-00-3216-3211).....	No limit
Sexual assault kit grant –	
federal fund (083-00-3146-3146).....	No limit
Crime victim assistance	
discretionary grant (083-00-3250-3260).....	No limit
Opioid summit fund.....	No limit
Coronavirus emergency	
supplemental fund (083-00-3671).....	No limit
Byrne discretionary community fund.....	No limit

(c) During the fiscal year ending June 30, 2024, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2024 made by this act or other appropriation act of the 2023 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2024 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel

services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(d) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for replacement of a heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$910,000 for such heating, ventilation and air conditioning system and up to \$510,000 for such laboratory equipment as available from such funds to the special revenue fund of the above agency designated by the director of the Kansas bureau of investigation for the purpose of funding such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such heating, ventilation and air conditioning system at the Great Bend laboratory and laboratory equipment, then such heating, ventilation and air conditioning system at the Great Bend laboratory and laboratory equipment shall not be funded pursuant to this subsection.

Sec. 128.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emergency medical services  
operating fund (206-00-2326-4000).....\$1,953,038

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be

deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*; That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*; That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant

payment fund (206-00-2396-2510).....No limit

*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400).....No limit

*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*; That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*; That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2024.

EMS criminal history and

fingerprinting fund (206-00-2806-2806).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2024 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants and instructor-coordinators: *Provided further*; That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants and instructor-coordinators: *And provided further*; That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants and instructor-coordinators who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2024, as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from

any special revenue fund or funds for the emergency medical services board for fiscal year 2024 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2023, and January 1, 2024, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2024, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2024, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2024 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2024 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2024 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2024, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2024.

Sec. 129.

#### KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$1,170,264 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$24,518 is hereby lapsed.

Sec. 130.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (626-00-1000-0303).....\$1,405,235

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs (626-00-1000-0600).....\$8,778,903

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, notwithstanding the provisions of K.S.A. 2022 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2024, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201).....No limit

Statistical analysis – federal fund (626-00-3600).....No limit

Coronavirus relief fund (626-00-3753).....No limit

Sec. 131.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 125(a) of chapter 81 of the 2022 Session Laws of Kansas on the Kansas commission on peace officers' standards and training fund (529-00-2583-2580) of the Kansas commission on peace officers' standards and training is hereby increased from \$750,259 to \$822,153.

Sec. 132.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund (529-00-2583-2580).....\$916,965

*Provided*, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund (529-00-2746-2700).....No limit

Sec. 133.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (046-00-1000-0053).....	\$150,000
Soil health initiative (046-00-1000).....	\$200,000
Water resource cost share (046-00-1000).....	\$65,758

Sec. 134.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (046-00-1000-0053).....	\$10,695,008
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*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Meat and poultry inspection	
fee fund (046-00-2004-0700).....	No limit
Entomology fee fund (046-00-2006-0900).....	No limit
Livestock market brand inspection	
fee fund (046-00-2007-2010).....	No limit
Veterinary inspection fee fund (046-00-2009-2020).....	No limit
Livestock brand fee fund (046-00-2011-2030).....	No limit
Grain commodity commission	
services fund (046-00-2018-1070).....	No limit
Water structures fund (046-00-2037-1075).....	No limit
Water structures – state	
highway fund (046-00-2043-1080).....	No limit
Kansas agricultural	
remediation fund (046-00-2095-1090).....	No limit
Dairy fee fund (046-00-2105-1015).....	No limit
Water resources cost fund (046-00-2110-1020).....	No limit

*Provided*, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Soil amendment fee fund (046-00-2117-1100).....	No limit
Agricultural liming materials	
fee fund (046-00-2118-1200).....	No limit
Weights and measures fee fund (046-00-2165-1500).....	No limit
Water appropriation	

certification fund (046-00-2168-1600).....	No limit
Agriculture seed fee fund (046-00-2187-2720).....	No limit
Chemigation fee fund (046-00-2194-1800).....	No limit
Animal disease control fund (046-00-2202-2500).....	No limit

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund (046-00-2207-2050).....	No limit
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*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*; That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Plant pest emergency

response fund (046-00-2210-1805).....	No limit
Water transfer hearing fund (046-00-2278-1900).....	No limit
Publications fee fund (046-00-2322-2000).....	No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Market development fund (046-00-2331-2351).....	No limit
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*Provided*, That expenditures may be made from the market development fund for official hospitality: *Provided further*; That expenditures may be made from the market development fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*; That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Trademark fund (046-00-2333-2360).....	No limit
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Commercial industrial hemp act licensing

fee fund (046-00-2343-2343).....	No limit
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General fees fund (046-00-2346-2100).....	No limit
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*Provided*, That expenditures may be made from the general fees fund for operating

expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the general fees fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Conversion of materials and

equipment fund (046-00-2402-2200).....No limit

Lodging fee fund (046-00-2456-2400).....No limit

Buffer participation

incentive fund (046-00-2517-2510).....No limit

Land reclamation fee fund (046-00-2542-2090).....No limit

Petroleum inspection

fee fund (046-00-2550-2550).....No limit

U.S. geological survey

cooperative gauge agreement

grants fund (046-00-2629-2800).....No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Laboratory equipment fund (046-00-2710-2700).....No limit

Arkansas river gaging fund (046-00-2751-2751).....No limit

Laboratory testing services

fee fund (046-00-2752-2752).....No limit

*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Compliance education fee fund (046-00-2757-2757).....No limit

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2024, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Conference registration and disbursement fund (046-00-2772-2101).....	No limit
<i>Provided</i> , That expenditures may be made from the conference registration and disbursement fund for official hospitality.	
Reimbursement and recovery fund (046-00-2773-2294).....	No limit
<i>Provided</i> , That expenditures may be made from the reimbursement and recovery fund for official hospitality.	
Agricultural chemical fee fund (046-00-2800-2900).....	No limit
Feeding stuffs fee fund (046-00-2801-4000).....	No limit
Fertilizer fee fund (046-00-2802-4100).....	No limit
Pesticide use fee fund (046-00-2804-4300).....	No limit
Egg fee fund (046-00-2808-4600).....	No limit
Warehouse fee fund (046-00-2809-4700).....	No limit
Food safety fee fund (046-00-2813-4805).....	No limit
Pesticide disposal fund (046-00-2831-2831).....	No limit
Water structures emergency fund (046-00-2868-2868).....	No limit
Meat and poultry inspection fund – federal (046-00-3013-3100).....	No limit
NRCS grant CFDA 10.932 fund (046-00-3022-3903).....	No limit
Water structures NRCS LIDAR grant (046-00-3081-3081).....	No limit
Market protection/ promotion fund (046-00-3104-3315).....	No limit
Homeland security grant – federal fund (046-00-3199-3436).....	No limit
Cooperating technical partners – federal fund (046-00-3203-3213).....	No limit
NRCS grant CFDA 10.931 fund (046-00-3228-3220).....	No limit
EPA pesticide performance partnership grant – federal fund (046-00-3295-3290).....	No limit
Plant/animal disease and pest control (046-00-3360).....	No limit
FEMA dam safety – federal fund (046-00-3362-3353).....	No limit
USDA Kansas forestry service – federal fund (046-00-3426-3380).....	No limit
Ag stats report fund (046-00-3427-3390).....	No limit
National floodplain insurance assistance (CAP) – federal fund (046-00-3445-3330).....	No limit
Food/drug administration/research (046-00-3462).....	No limit
Specialty crop block grant fund (046-00-3463-3300).....	No limit
Local food purchase agreement –	

federal fund (046-00-3662-3662).....	No limit
Watershed protect approach/WTR	
RSRCE MGT fund (046-00-3889).....	No limit
NRCS stream bank water quality –	
federal fund (046-00-3917).....	No limit
NRCS grant CFDA	
10.069 fund (046-00-3952-3901).....	No limit
NRCS grant CFDA	
10.924 fund (046-00-3953-3902).....	No limit
Flx finding mdl coop	
agrmt fund (046-00-3954-3905).....	No limit
NRCS grant CFDA	
10.912 fund (046-00-3955-3904).....	No limit
Gifts and donations fund (046-00-7305-7000).....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the water plan project or projects specified, the following:

Interstate water issues (046-00-1800-0070).....	\$514,664
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*Provided*, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water use (046-00-1800-0075).....	\$100,000
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*Provided*, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Basin management (046-00-1800-0080).....	\$650,174
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*Provided*, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Irrigation technology (046-00-1800-0088).....	\$550,000
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*Provided*, That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Crop and livestock research (046-00-1800-0089).....	\$350,000
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*Provided*, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Soil health initiative (046-00-1800-0090).....	\$400,000
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*Provided*, That any unencumbered balance in the soil health initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water resources

cost share (046-00-1800-1205).....	\$2,834,714
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*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

*Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2024 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That

expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2024 for the water resources cost share account.

Nonpoint source

pollution assistance (046-00-1800-1210).....\$1,863,636

*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Conservation district aid (046-00-1800-1220).....\$2,502,706

*Provided*, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas conservation reserve enhancement

program fund (046-00-1800-1225).....\$550,727

*Provided*, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Watershed dam

construction (046-00-1800-1240).....\$650,000

*Provided*, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality

buffer initiatives (046-00-1800-1250).....\$0

*Provided*, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*; That such expenditures may be made from this account from the approved budget amount for fiscal year 2024 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and

wetland program (046-00-1800-1260).....\$154,024

*Provided*, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Streambank stabilization

projects (046-00-1800-1290).....\$750,000

*Provided*, That any unencumbered balance in the streambank stabilization projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas reservoir protection initiative administration.....\$0

(d) During the fiscal year ending June 30, 2024, the secretary of agriculture, with the approval of the state finance council acting on this matter, which is hereby

characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of the budget; (2) the director of legislative research; (3) the chairperson of the house of representatives agriculture and natural resources budget committee; and (4) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2023, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund (276-00-4100-4100) of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:  
Agriculture marketing

program (046-00-1900-1110).....\$1,013,276

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 135.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (373-00-1000-0103).....\$135,000

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2024 to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100).....No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.

State fair special cash fund (373-00-9088-9000).....No limit

State fair debt service special

revenue fund (373-00-2267-2200).....No limit  
Sec. 136.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Water resources operating

expenditures (709-00-1000-0303).....\$1,074,617

*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (709-00-2022).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Lower Smoky Hill water supply

access fund (709-00-2203-2203).....No limit

Water marketing fund (709-00-2255-2100).....No limit

*Provided*, That expenditures may be made from the water marketing fund for the purchase of vessel liability insurance.

Indirect cost fund (709-00-2419-2419).....No limit

State conservation storage water

supply fund (709-00-2502-2600).....No limit

*Provided*, That expenditures may be made by the above agency from the State conservation storage water supply fund for acquisition of storage or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the state conservation storage water supply fund.

Equipment leasing fee fund.....No limit

Local water project

match fund (709-00-2620-3200).....No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage  
 assurance fund (709-00-2631).....No limit  
*Provided*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2024 unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users that is not held under contract in such reservoirs.

Republican river water conservation projects –  
 Nebraska moneys fund (709-00-2690-2640).....No limit

Republican river water conservation projects –  
 Colorado moneys fund (709-00-2691-2680).....No limit

South fork Republican river water conservation  
 projects fund (709-00-2824-2824).....No limit  
*Provided*, That during the fiscal year ending June 30, 2024, the above agency shall pay an amount equal to the amount certified pursuant to subsection (k) from the south fork Republican river water conservation projects fund as a grant pursuant to the grant agreement entered into by the Kansas water office and the Cheyenne county conservation district: *Provided further*, That in accordance with the grant agreement, such moneys shall be used exclusively for the purposes of paying all or a portion of the costs of the projects specified in K.S.A. 82a-1804(g), and amendments thereto, in the area lying in the south fork of the upper Republican river basin in northwest Kansas in all or parts of Cheyenne and Sherman counties: *And provided further*, That in accordance with the grant agreement, all expenditures of such moneys shall be approved by the Cheyenne county conservation district and the Kansas water office: *And provided further*, That, in accordance with the grant agreement, such moneys shall be administered by the Cheyenne county conservation district and any interest earned on such moneys shall be used for the purposes prescribed by this subsection: *And provided further*, That in accordance with the grant agreement, all expenditures and the status of new projects approved by the Cheyenne county conservation district shall be reported not later than November 1 of each calendar year to the Kansas water office.

Milford RCPP federal fund (709-00-3022-3022).....No limit

Multipurpose grant fund (709-00-3103-3103).....No limit

Emergency management performance  
 grant fund (709-00-3342-3342).....No limit

HHPD rehabilitation  
 grant fund (709-00-3362-3362).....No limit

Water reclamation and reuse  
 grant fund (709-00-3731-3731).....No limit

EPA wetland development  
 grant fund (709-00-3914).....No limit

Motor pool vehicle  
 replacement fund (709-00-6120-6100).....No limit  
 (c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....\$834,078  
*Provided*, That any unencumbered balance in the assessment and evaluation account

in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

MOU – storage operations  
and maintenance (709-00-1800-1150).....\$736,160

*Provided*, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Stream gaging (709-00-1800-1190).....\$448,708

*Provided*, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Technical assistance to  
water users (709-00-1800-1200).....\$425,000

*Provided*, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Reservoir and water quality research (709-00-1800-1275).....\$450,000

*Provided*, That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water quality partnerships (709-00-1800-1280).....\$884,176

*Provided*, That any unencumbered balance in the water quality partnerships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas water plan education  
and outreach strategy (709-00-1800-1281).....\$250,000

*Provided*, That any unencumbered balance in the Kansas water plan education and outreach strategy account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

High plains aquifer  
partnerships (709-00-1800-1282).....\$850,000

*Provided*, That any unencumbered balance in the high plains aquifer partnerships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas reservoir protection  
initiative (709-00-1800-1286).....\$1,000,000

*Provided*, That any unencumbered balance in the Kansas reservoir protection initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Equus beds chloride plume  
remediation project (709-00-1800-1287).....\$50,000

*Provided*, That any unencumbered balance in the equus beds chloride plume remediation project account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Flood response study (709-00-1800-1288).....\$200,000

*Provided*, That any unencumbered balance in the flood response study account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Arbuckle study (709-00-1800-1289).....\$150,000

*Provided*, That any unencumbered balance in the arbuckle study account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(d) During the fiscal year ending June 30, 2024, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2024, the director of the Kansas water office may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office to any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas department of agriculture or the department of health and environment – division of environment: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and upon receipt of such certification, the director of accounts and reports shall transfer such certified amount to the certified item of appropriation: *Provided further*, That when the director of the Kansas water office provides certification to the director of accounts and reports under this section, the director shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(f) During the fiscal year ending June 30, 2024, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2024, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council

acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2024, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2024 to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(j) During the fiscal year ending June 30, 2024, the director of the Kansas water office shall certify to the director of accounts and reports the amount of moneys expended by the Kansas department of agriculture from the state general fund that is attributable to the administration of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, or the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto: *Provided*, That upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund: *Provided further*, That the director of the Kansas water office shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(k) During the fiscal year ending June 30, 2024, the director of the Kansas water office shall certify the amount of moneys in the Republican river water conservation projects – Colorado moneys fund and shall transmit such certification, along with the amount to be transferred, to the director of accounts and reports. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and

reports shall transfer the amount specified by the director of the Kansas water office from the Republican river water conservation projects – Colorado moneys fund to the south fork Republican river water conservation projects fund: *Provided*, That the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Sec. 137.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$35,767,049 to \$36,947,614.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$11,433,220 to \$11,969,128.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby decreased from \$1,200,236 to \$1,141,486.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the department access roads fund (710-00-2178-2761) of the Kansas department of wildlife and parks is hereby increased from \$1,703,677 to \$1,732,335.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 168(e) of chapter 81 of the 2022 Session Laws of Kansas on parks rehabilitation and repair projects (710-00-2122-2066) of the Kansas department of wildlife and parks is hereby increased from \$2,300,000 to \$2,750,000.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 168(m) of chapter 81 of the 2022 Session Laws of Kansas on recreational trails program (710-00-3238-3238) of the Kansas department of wildlife and parks is hereby decreased from \$1,680,400 to \$1,630,400.

Sec. 138.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, the following:

Stream monitoring (710-00-1800-1801).....\$224,457

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (710-00-1900-1910).....\$1,880,039

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500: *Provided further*, That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures

account for fiscal year 2024, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2024 to include a provision on the calendar year 2024 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*, That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating

expenditures (710-00-1900-1920).....\$1,787,952

*Provided*, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Reimbursement for annual

licenses issued to national guard members (710-00-1900-1930).....\$36,342

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2024 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual

park permits issued to national guard members (710-00-1900-1940).....\$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2024 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans (710-00-1900-1950).....\$69,627

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2024 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*; That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: *And provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2890).....\$37,021,157

*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2024 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2024: *And provided further*; That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from the wildlife fee fund for official hospitality shall not exceed \$4,000.

Parks fee fund (710-00-2122-2053).....\$12,857,301

*Provided*, That additional expenditures may be made from the parks fee fund for fiscal year 2024 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2024: *And provided further*; That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2813).....\$1,103,187

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2024 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all

such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2024: *And provided further*; That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Central aircraft fund (710-00-6145-6100).....No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access

roads fund (710-00-2178-2761).....\$1,746,736

Wildlife and parks

nonrestricted fund (710-00-2065-2120).....No limit

Prairie spirit rails-to-trails

fee fund (710-00-2025-2030).....No limit

Plant and animal disease and pest

control fund (710-00-3360-3361).....No limit

Nongame wildlife

improvement fund (710-00-2593-3300).....No limit

Wildlife conservation

fund (710-00-2100-2020).....No limit

Federally licensed wildlife

areas fund (710-00-2670-3400).....No limit

State agricultural

production fund (710-00-2050-5100).....No limit

Land and water conservation

fund – state (710-00-3794-3920).....No limit

Land and water conservation

fund – local (710-00-3794-3795).....No limit

Development and

promotions fund (710-00-2097-2010).....No limit

Department of wildlife

and parks private gifts and

donations fund (710-00-7335-7000).....No limit

Fish and wildlife

restitution fund (710-00-2166-2750).....No limit

Parks restitution fund (710-00-2156-2100).....No limit

Nonfederal grants fund (710-00-2063-2090).....No limit

Disaster grants – public

assistance fund (710-00-3005-3005).....No limit

Soil/water

conservation fund (710-00-3083-3083).....No limit

Navigation projects fund (710-00-3191-3191).....No limit

Recreation resource management fund (710-00-3197-3197).....	No limit
Cooperative endangered species conservation fund (710-00-3198-3198).....	No limit
Landowner incentive program fund (710-00-3200-3210).....	No limit
Bulletproof vest partnership fund (710-00-3216-3216).....	No limit
Recreational trails program fund (710-00-3238-3238).....	No limit
Highway planning/ construction fund (710-00-3333-3333).....	No limit
Americorps – ARRA fund (710-00-3404-3405).....	No limit
Cooperative forestry assistance fund (710-00-3426-3426).....	No limit
North America wetland conservation fund (710-00-3453-3453).....	No limit
Wildlife services fund (710-00-3485-3485).....	No limit
Fish/wildlife management assistance fund (710-00-3495-3495).....	No limit
Fish/wildlife core act fund (710-00-3513-3513).....	No limit
Great plains LCC.....	No limit
USDA grant manual update.....	No limit
Watershed protection/flood prevention fund (710-00-3906-3906).....	No limit
Suspense fund (710-00-9159-9000).....	No limit
Employee maintenance deduction clearing fund (710-00-9120-9100).....	No limit
Cabin revenue fund (710-00-2668-2660).....	No limit
Feed the hungry fund (710-00-2642-2640).....	No limit
State wildlife grants fund (710-00-3204-3204).....	No limit
Boating safety financial assistance fund (710-00-3251-3250).....	No limit
Wildlife restoration fund (710-00-3418-3418).....	No limit
Sport fish restoration fund (710-00-3490-3490).....	No limit
Outdoor recreation acquisition, development and planning fund (710-00-3794-3794).....	No limit
Publication and other sales fund (710-00-2399-2399).....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2024, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2024:

*And provided further,* That the secretary of wildlife and parks shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and	
permits fund (710-00-2493-2493).....	No limit
Enforce underage drinking	
law fund (710-00-3219-3219).....	No limit
Migratory bird monitoring (710-00-3504-3504).....	No limit
Voluntary public access (710-00-3557-3557).....	No limit
Energy efficiency/conservation block	
grant fund (710-00-3157-3157).....	No limit
Endangered species –	
recovery fund (710-00-3209-3209).....	No limit
Wetlands reserve	
program fund (710-00-3007-3060).....	No limit
Adaptive science fund (710-00-3015-3050).....	No limit
Economic adjustment assistance fund.....	No limit
Law enforcement agency support fund.....	No limit
Enhanced hunter education	
program (710-00-3929-3929).....	No limit
White-nose syndrome	
response (710-00-3904-3904).....	No limit

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2024, from which expenditures may be made for salaries and wages, for progression within the existing pay structure for natural resource officers of the Kansas department of wildlife and parks: *Provided, however,* That notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the secretary of wildlife and parks shall not require such officer to transfer into the unclassified service in order to progress within the existing pay structure pursuant to this subsection.

(e) Notwithstanding the provisions of K.S.A. 32-9,100, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the Kansas department of wildlife and parks from moneys appropriated from the wildlife fee fund (710-00-2300-2880) of the Kansas department of wildlife and parks for the fiscal year ending June 30, 2024, by this or any other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2024 to issue senior lifetime hunting and fishing licenses to Kansas resident disabled veterans who are 65 years of age or older: *Provided,* That such licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks: *Provided further,* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions and have a disability certified by the Kansas

commission on veterans affairs office as being service-related and such service-connected disability is equal to or greater than 30%.

(f) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 2022 Supp. 32-9,101, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2024, to issue and make available a Kansas kids lifetime combination hunting and fishing license to any child who is a resident, as defined in K.S.A. 32-701, and amendments thereto, and 15 years of age or younger upon payment of a license fee that shall not exceed \$500.

Sec. 139.

#### DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(c) of chapter 81 of the 2022 Session Laws of Kansas on the buildings – rehabilitation and repair account (276-00-4100-8005) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$4,200,000 to \$4,952,742.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(c) of chapter 81 of the 2022 Session Laws of Kansas on the buildings – other construction, renovation and repair account (276-00-4100-8070) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$18,248,376 to \$27,299,652.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,314,773 from the statehouse debt service – state highway fund (173-00-2861-2861) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$324 from the debt service refunding – 2020R – state highway fund (173-00-2865-2865) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

(e) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$135,926 from the debt service refunding – 2019F/G – state highway fund (173-00-2823-2823) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

Sec. 140.

#### DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter

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

State highway fund (276-00-4100-4100) .....No limit

*Provided*, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county

highway fund (276-00-4220-4220) .....No limit

County equalization and

adjustment fund (276-00-4210-4210).....\$2,500,000

Highway special

permits fund (276-00-2576-2576).....\$0

Highway bond debt

service fund (276-00-4707-9000).....No limit

Rail service

improvement fund (276-00-2008-2100).....No limit

Transportation

revolving fund (276-00-7511-1000).....No limit

Rail service assistance program loan

guarantee fund (276-00-7502-7200).....No limit

Railroad rehabilitation loan

guarantee fund (276-00-7503-7500).....No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2024, in satisfaction of liabilities arising from the unconditional guarantee of payment that was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel

sales fund (276-00-2298-2400).....No limit

*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to other state agencies: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to other state agencies: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation

assistance fund (276-00-2572-0300).....No limit

Public use general aviation airport

development fund (276-00-4140-4140).....No limit

Highway bond

proceeds fund (276-00-4109-4110).....No limit

Communication system

revolving fund (276-00-7524-7700).....	No limit
Traffic records	
enhancement fund (276-00-2356-2000).....	No limit
Other federal grants fund (276-00-3122-3100).....	No limit
Kansas intermodal transportation	
revolving fund (276-00-7552-7551).....	No limit
Conversion of materials and	
equipment fund (276-00-2256-2256).....	No limit
Seat belt safety fund (276-00-2216-2216).....	No limit
Driver's education scholarship	
grant fund (276-00-2851-2851).....	No limit
Transportation technology	
development fund (276-00-2835-2835).....	No limit
Broadband infrastructure construction	
grant fund (276-00-2836-2836).....	No limit
Short line rail improvement fund (276-00-2837-2837).....	No limit
(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2024, from the state highway fund (276-00-4100-4100) for the following specified purposes: <i>Provided</i> , That expenditures from the state highway fund for fiscal year 2024, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:	
Agency operations (276-00-4100-0403).....	\$319,084,889
<i>Provided</i> , That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: <i>Provided further</i> , That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.	
Conference fees (276-00-4100-2200).....	No limit
<i>Provided</i> , That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: <i>Provided further</i> , That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: <i>And provided further</i> , That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.	
Categorical aid NHTSA national priority (276-00-4100-3035).....	No limit
Unmanned aerial systems –	
UAS aviation only (276-00-4100-6400).....	No limit
Substantial maintenance (276-00-4100-0700).....	No limit
Claims (276-00-4100-1150).....	No limit
Payments for city	
connecting links (276-00-4100-6200).....	\$5,360,000
Federal local aid programs (276-00-4100-3000).....	No limit
Bond services fees (276-00-4100-0580).....	No limit
Other capital improvements (276-00-4100-8075).....	No limit
<i>Provided</i> , That the secretary of transportation is authorized to make expenditures	

from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair (276-00-4100-8005).....	\$5,000,000
Buildings – reroofing (276-00-4100-8010).....	\$719,916
Buildings – other construction, renovation and repair (276-00-4100-8070).....	\$18,730,476
Buildings – purchase land (276-00-4100-8065).....	\$45,000

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2024, expenditures may be made by the above agency from the state highway fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2024 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2023, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2024.

(d) During the fiscal year ending June 30, 2024, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2024 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2024 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2024, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2024, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2024, from the

state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2024.

(h) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2024, the secretary of transportation shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links: *Provided*, That all moneys so distributed shall be used solely for the maintenance of city connecting links: *Provided further*, That such apportionment shall apply only to those city connecting link lanes maintained by the city, and shall not apply to city connecting link lanes maintained by the secretary pursuant to agreement with the city: *And provided further*, That, as used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary.

(i) During the fiscal year ending June 30, 2024, the director of the budget shall certify to the director of accounts and reports the difference, if negative, between \$156,424,618 and the amount collected under the motor-fuel tax law and credited to the special city and county highway fund pursuant to K.S.A. 79-3425 and 79-34,142, and amendments thereto, after the transfer from the special city and county highway fund to the county equalization and adjustment fund pursuant to K.S.A. 79-3425c, and amendments thereto: *Provided*, That upon receipt of such certification, the director of accounts and reports shall transfer such certified amount, not to exceed \$4,226,614, from the state general fund to the special city and county highway fund (276-00-4220-4220) of the department of transportation: *Provided further*, That at the same time such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(j) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 2022 Supp. 75-5096, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 or 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made from such moneys for fiscal year 2024 and 2025 for the secretary of transportation to develop a driver's education scholarship grant program to assist qualified individuals to become safe drivers: *Provided*, That any entity that desires to provide a driver's education program may submit an application for a competitive grant of moneys in an amount to be determined by the secretary for the purpose of paying the costs of scholarships to attend a driver's education program: *Provided, however*, That a scholarship for a qualified individual shall not exceed \$200: *Provided further*, That such scholarship shall be awarded upon completion of the driver's education program: *And provided further*, That the secretary of transportation shall administer the provisions of this subsection and may establish additional criteria for qualification for a grant and such other matters deemed necessary by the secretary for the administration of this subsection: *And provided further*, That "qualified individual" means an individual who resides within the state of Kansas, is under 30 years of age and whose household income is positive and not more than 200% of the federal poverty level for the tax year prior to the year in which the application is submitted: *And provided further*, That "federal poverty level"

means the most recent poverty income guidelines published in the calendar year by the United States department of health and human services: *And provided further*; That on or before January 8, 2024, and January 13, 2025, the secretary shall provide a report to the house of representatives committees on appropriations and transportation and the senate committees on ways and means and transportation on the driver's education scholarship grant program.

Sec. 141. In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2024, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2024 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance: (a) Equal to \$354.15 for the two-week period that coincides with the first biweekly payroll period, which is chargeable to fiscal year 2024 and for each of the 14 ensuing two-week periods thereafter; and (b) equal to \$354.15 for the two-week period that coincides with the biweekly payroll period, which includes March 17, 2024, which is chargeable to fiscal year 2024 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2024, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this section for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods, for which such allowance is payable in accordance with this section and which are chargeable to fiscal year 2024.

Sec. 142. (a) On June 30, 2024, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2024, the director of accounts and reports shall determine and notify the director of the budget if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports,

the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 143. (a) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by any state agency that is named in this act, expenditures shall be made by such state agency from moneys appropriated for fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to post on a searchable website accessible by the public, pursuant to the Kansas taxpayer transparency act, K.S.A. 74-72,123, and amendments thereto, any grant awarded by any agency using state or federal funds, including the grant awardee, applications and a list of all applicants who applied for such grant: *Provided*, That the list of all such applicants shall include: (1) Such applicant's organization name; (2) the county where the proposed project is located; (3) a brief description of the proposed project in such application; (4) the dollar amount requested in such application; and (5) the date that the above agency received such application: *Provided further*, That information required to be included on the website pursuant to this paragraph shall be posted within 30 business days after the date of awarding the grant.

Sec. 144. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2024.

(b) During the fiscal year ending June 30, 2024, no state agency named in this or other appropriation act of the 2023 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(c) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, no state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) As used in this section:

(1) "Employee" means any person who performs employment services for an employer pursuant to an employment relationship between the employee and the employer.

(2) "Employer" means any individual or type of organization that transacts business in this state and employs one or more individuals who perform employment services in this state.

(3) "E-verify" means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of employees.

Sec. 145. (a) During the fiscal years ending June 30, 2023, and June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for the department of administration for fiscal year 2023 or 2024 by chapter 81 or 97 of the 2022 Session Laws of Kansas, this act or any other

appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the department of administration from the state general fund or from any special revenue fund or funds for fiscal year 2023 or 2024, for and on behalf of the Kansas department for aging and disability services, to convey, without consideration, all of the rights, title and interest in approximately 15 acres of the following described real estate, and any improvements thereon, to the Kansas commission on veterans affairs office:

A part of Section 11, Township 12 South, Range 15, East of the 6<sup>th</sup> P.M., in Shawnee County, Kansas, described as follows: Beginning at a point 30 feet South of the Northeast Corner of the West Half of Section 11; thence South 89°12' West, parallel with the North line of said Section, 1017.1 feet; thence South 0°06'18" West, 1762.32 feet; thence South 89°54'28" East, 679.14 feet; thence South 0°21'57" West, 856.91 feet to a point 336.65 feet West of the center of Section 11; thence South 0°21'57" West, 2219 feet more or less to the center of Shunganunga Creek; thence Easterly and Northerly, down the center of said Creek and following the meanderings thereof to the East line of the West Half of the East Half of Section 11; thence Northerly along said East line 3473.68 feet more or less to a point 320.04 feet South of the Northeast Corner of the West Half of the East Half of Section 11; thence South 89°12' West, 1301.65 feet to a point 30 feet East of the North South Center Line of Section 11; thence North parallel with said center line 290.4 feet; Thence West 30 feet to the point of beginning,

AND

A part of Section 11, Township 12 South, Range 15 East of the 6<sup>th</sup> P.M., described as follows: Commencing at a point 30 feet South of the Northeast corner of the West half of said Section 11; thence South 89°12'00" West, parallel to the North line of said Section, 1017.10 feet; thence South 0°06'18" West, 1762.32 feet to the Point of Beginning; thence South 60°45'00" East, 133.00 feet; thence South 00°06'18" West, 123.70 feet to a point on the existing chain-link fence; thence along said fence South 89°54'28" East, 558.75 feet; thence North 00°21'57" East, 188.50 feet; thence North 89°54'28" West, 675.77 feet to the Place of Beginning.

LESS

A tract of land in the Southeast Quarter of Section 11, Township 12 South, Range 15, East of the 6<sup>th</sup> P.M., described as follows: Commencing at the Northeast Corner of the West Half of the Southeast Quarter of said Section 11, thence South 89 degrees 06 minutes 03 seconds West 600 feet; thence South 00 degrees 17 minutes 05 seconds West, 300.00 feet; thence North 89 degrees 06 minutes 03 seconds East, 600.00 feet; thence North 00 degrees 17 minutes 05 seconds East 300.00 feet to the point of beginning, in the City of Topeka, Shawnee County, Kansas,

AND LESS

A tract of land in the West half of the Southeast Quarter of Section 11, Township 12 South, Range 15 East of the 6<sup>th</sup> P.M., Beginning at the Southeast corner of the West half of the Northeast quarter; thence coincident with the East line of the West half of said Northeast Quarter on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 50.00 feet to the Point of Beginning; thence continuing coincident with said East line on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 68.65 feet; thence leaving said East line on Azimuth 268 degrees 52 minutes 11 seconds, a distance of 828.70 feet; thence on Azimuth 244 degrees 46 minutes 18 seconds, a distance of 290.52 feet to a point on the South line of said Northeast Quarter; thence on Azimuth 180 degrees 02

minutes 40 seconds, a distance of 461.03 feet; thence on Azimuth 88 degrees 52 minutes 11 seconds, a distance of 1091.41 feet to the East line on the West half of the Southeast Quarter of said Section 11; thence coincident with said East line on Azimuth 00 degrees 02 minutes 40 seconds, a distance of 161.03 feet; thence leaving said East line on Azimuth 268 degrees 52 minutes 11 seconds, a distance of 600.00 feet; thence on Azimuth 00 degrees 02 minutes 40 seconds, a distance of 300 feet to a point on the North line of said Southeast Quarter; thence on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 50.00 feet; thence on Azimuth 88 degrees 52 minutes 11 seconds, a distance of 600.00 feet to the Point of Beginning.

AND LESS

A tract of land in the West half of the Northeast Quarter of Section 11, Township 12 South, Range 15 East of the 6<sup>th</sup> Principal Meridian in the City of Topeka, Shawnee County, Kansas, Beginning at the Southeast corner of the West half of the Northeast Quarter Section; thence North 00 degrees 18 minutes 33 seconds East along the East line of said West half of the Northeast Quarter Section, 50 feet; thence South 89 degrees 06 minutes 03 seconds West, 600.00 feet thence South 00 degrees 18 minutes 33 seconds West, 50.00 feet; thence North 89 degrees 06 minutes 03 seconds East, 600.00 feet along the South line of said Quarter Section to the Place of Beginning.

AND LESS

A tract of land in the Northwest Quarter of Section 11, Township 12 South, Range 15 East of the 6<sup>th</sup> Principal Meridian in the City of Topeka, Shawnee County, Kansas, more particularly described as follows: Commencing at the Northeast corner of such Northwest Quarter; thence West along the North line of such Quarter Section a distance of 1,017.1 feet; thence South along the West property line a distance of 30.00 feet to the True Point of Beginning; thence South along such West line a distance of 25.00 feet; thence East parallel to and 55.00 feet South of the North line of such Quarter Section to a point on the East line; thence North along such East line for a distance of 25.00 feet; thence West to the Point of Beginning.

(b) The secretary of administration, in consultation with the secretary of aging and disability services and the director of the Kansas commission on veterans affairs office, shall determine the specific parcel of approximately 15 acres of real estate within the described real estate in subsection (a). Conveyance of such rights, title and interest in such real estate and any improvements thereon shall be executed in the name of the department of administration executed by the secretary of administration. The deed for such conveyance shall be by quitclaim deed.

(c) No exchange and conveyance of real estate and any improvements thereon as authorized by this section shall be made by the secretary of administration until the correct legal description, deeds and conveyances have been reviewed and approved by the attorney general.

(d) The conveyance of real property authorized by this section shall be contingent upon the receipt of funding from the United States department of veterans affairs for the purposes of constructing a state veterans home facility located in northeast Kansas as authorized by section 51 of chapter 97 of the 2022 Session Laws of Kansas. Conveyance of the real property authorized by this section shall not occur in the event the United States department of veterans affairs does not provide funding through its construction grant program for fiscal year 2024.

(e) The conveyance of real property authorized by this section shall not be subject

to the provisions of K.S.A. 75-3043a, and amendments thereto.  
Sec. 146.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for	
state facilities (173-00-1000-8500).....	\$5,000,000
<i>Provided</i> , That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.	
Debt service refunding – 2016H (173-00-1000-0464).....	\$6,298,500
Debt service	
refunding – 2019F/G (173-00-1000-0465).....	\$6,578,181
Debt service	
refunding – 2020R (173-00-1000-8563).....	\$8,234,200
Debt service	
refunding – 2020S (173-00-1000-8564).....	\$776,500
Debt service refunding – 2021P (173-00-1000-8562).....	\$5,751,750
Printing plant improvements (173-00-1000).....	\$6,500,000

*Provided*, That if the above agency, in consultation with the director of the budget, determines that federal moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief are eligible to be used for any such printing plant improvements in addition to the federal funds currently encumbered for such project, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, are unencumbered during fiscal year 2024 and may be used for the purposes of this proviso, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports and then, on the date of such certification, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the printing plant improvements account (173-00-1000), an amount equal to such certified amount is hereby lapsed: *Provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund (173-00-7253-7250).....	No limit
State facilities gift fund (173-00-7263-7290).....	No limit
Master lease program fund (173-00-8732).....	No limit
State buildings	
depreciation fund (173-00-6149-4500).....	No limit
Executive mansion gifts fund (173-00-7257-7270).....	No limit
Topeka state hospital cemetery memorial	

gift fund (173-00-7337-7240).....No limit  
Capitol area plaza authority

planning fund (173-00-7121-7035).....No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state

highway fund (173-00-2861-2861).....No limit

Debt service refunding – 2019F/G –

state highway fund (173-00-2823-2823).....No limit

Debt service refunding – 2020R –

state highway fund (173-00-2865-2865).....No limit

Debt service refunding – 2020S –

state highway fund (173-00-2866-2866).....No limit

Printing plant improvement fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028) for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements

and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects –

debt service (173-00-6149-4520).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2024.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Eisenhower building purchase and renovation –

debt service (173-00-6148-4610).....No limit

(f) In addition to the other purposes for which expenditures may be made by the

above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2023: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 147.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2024, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-2275).....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2024, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275).....No limit

Sec. 148.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$3,200,000

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2024 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2024 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – state hospitals

    rehabilitation and repair (039-00-8100-8325).....\$268,450  
Larned state hospital – city of Larned

wastewater treatment (410-00-8100-8300).....\$129,620  
*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 149.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000).....\$795,000

*Provided*, That any unencumbered balance in the capital improvements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property

sale fund (296-00-3336-3110).....No limit

*Provided*, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2024 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2024 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*; That the net proceeds from the sale of any of the real estate of the department of labor

shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature except upon approval of the state finance council.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2024, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2024 for the following capital improvement projects: Payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2024 for such capital improvement purposes shall not exceed \$530,000.

Sec. 150.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and  
repair projects (694-00-1000-0904).....\$236,980

*Provided*, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and  
repair projects (694-00-8100-7100).....\$1,027,460

Veterans' home rehabilitation and  
repair projects (694-00-8100-8250).....\$1,626,476

Northeast Kansas veterans' home (694-00-8100).....\$16,350,833

*Provided*, That any unencumbered balance in the northeast Kansas veterans' home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Committal shelter doors (694-00-8100).....\$90,000

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, expenditures may be made by the above agency from the committal shelter doors account of the state institutions building fund for payment of adding committal shelter doors at the Fort Dodge cemetery and at the WaKeeney cemetery.

Storage building (694-00-8100).....\$192,696

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, expenditures may be made by the above agency from the storage building account of the state institutions building fund for payment of a new storage building and fence maintenance at the Fort Dodge cemetery.

Sec. 151.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$419,988
Security system upgrade project (604-00-8100-8130).....	\$241,277
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$1,043,319
Electrical safety upgrade (604-00-8100-8155).....	\$204,160
Brighton building elevator (604-00-8100-8160).....	\$400,969
Security Perimeter Fencing.....	\$318,250
Track stabilization.....	\$100,000

Sec. 152.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$474,024
Campus life safety and security (610-00-8100-8130).....	\$316,651
Campus boilers and HVAC upgrades (610-00-8100-8145).....	\$683,269
Foltz gym wall (610-00-8100-8150).....	\$160,000
Commercial dishwasher.....	\$132,250
Electrical service upgrade.....	\$230,000
Emery building upgrades.....	\$202,000
Dorm remodel.....	\$250,000

Sec. 153.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Rehabilitation and repair projects (288-00-1000-8088).....	\$375,000
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*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....	No limit
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and

bequests fund for fiscal year 2024.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2024.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, law enforcement memorial fund and historical preservation grant in aid fund for fiscal year 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2023: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 154.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Memorial union project –  
debt service 2020F (379-00-5161-5040).....No limit

Student housing projects –  
debt service 2017D (379-00-5169-5050).....No limit

Twin towers housing project –  
debt service 2017D (379-00-5120-5030).....No limit

Parking maintenance projects (379-00-5186-5060).....No limit

Rehabilitation and repair projects  
(379-00-2526-2040; 379-00-2069-2010).....No limit

Student housing projects (379-00-5650-5120;  
379-00-5169-5050).....No limit

Deferred maintenance projects (379-00-2485-2485).....No limit

Morris central renovation (379-00-2526-2040).....No limit

Welch stadium renovation (379-00-2526-2040).....No limit

King hall theatre (379-00-2526-2040).....No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make

expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of buildings account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(e) In addition to the other purposes for which expenditures may be made by Emporia state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to demolish certain facilities and to construct, renovate, develop and equip a new department of nursing and student wellness center all on the campus of Emporia state university: *Provided*, That such capital improvement project is hereby approved for Emporia state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Emporia state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not

constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Emporia state university shall make provisions for the maintenance of the building.

Sec. 155.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field/Wiest hall renovation –	
debt service 2016B (246-00-5103-5020).....	No limit
Memorial union renovation –	
debt service 2005G (246-00-5102-5010).....	No limit
Memorial union addition –	
debt service 2020C (246-00-2510-2040).....	No limit
Memorial union project (246-00-2510-2040).....	No limit
Energy conservation –	
debt service (246-00-2035-2000).....	No limit
Wiest hall replacement –	
debt service 2016B (246-00-5103-5020).....	No limit
Deferred maintenance projects (246-00-2483-2483).....	No limit
Forsyth library renovation (246-00-2035-2000).....	No limit
Rarick hall renovation (246-00-2035-2000).....	No limit
Akers energy center project (246-00-2035-2000).....	No limit
Student union rehabilitation and	
repair projects (246-00-5102-5010).....	No limit
Rehabilitation and repair projects	
(246-00-2035-2000; 246-00-2510-2040).....	No limit
Student housing rehabilitation and	
repair projects (246-00-5103-5020).....	No limit
Parking maintenance projects (246-00-5185-5050).....	No limit
Gross coliseum parking lot project	
(246-00-2035-2000; 246-00-5185-5050).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the

state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 156.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation projects –	
debt service 2021A, 2012F/H, 2017B	
(367-00-2062-2000; 367-00-5163-4500).....	No limit
Research initiative debt service	
2021A (367-00-2901-2106).....	No limit
Chiller plant project –	
debt service 2015B (367-00-2062-2000).....	No limit
Recreation complex project – debt service	
2021A, 2010G1/2 (367-00-2520-2080).....	No limit
Student union renovation project –	
debt service 2016A (367-00-2520-2080).....	No limit
Electrical upgrade project – debt service 2017E	
(367-00-2520-2080; 367-00-2484-2484).....	No limit
Salina student life center project – debt service	
2008D (367-00-5111-5120).....	No limit
Childcare development center project –	
debt service 2019C (367-00-5125-5101).....	No limit
Jardine housing project – debt service 2022D/	
2014D/2015B/2011G-1 (367-00-5163-4500).....	No limit
Wefald dining and residence hall project – debt	
service 2022D/2014D-2 (367-00-5163-4500).....	No limit
Union parking –	
debt service 2016A (367-00-5181-4630).....	No limit
Seaton hall renovation –	
debt service 2016A (367-00-2520-2080).....	No limit
Chemical landfill – debt service	
refunding 2011G-2 (367-00-2901-2160).....	No limit
Derby dining center project – debt	
service 2019C (367-00-5163-4500).....	No limit
K-state Salina residence hall – debt service	
2022A (367-00-5117-4430).....	No limit
Debt service refunding 2022D (367-00-5163-4500).....	No limit
Capital lease – debt service	
(367-00-2062-2000; 367-00-520-2080;	

367-00-5117-4430).....	No limit
Rehabilitation and repair projects (367-00-2062-2000; 367-00-2062-2080; 367-00-2520-2080; 367-00-2901-2160).....	No limit
Deferred maintenance projects (367-00-2484-2484).....	No limit
Parking maintenance projects (367-00-5181-4638).....	No limit
Student housing projects (367-00-5163-4500; 367-00-5117-4430).....	No limit
Engineering hall renovation project (367-00-2062-2000).....	No limit
Building retro-commissioning project (367-00-2901-2160).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 157.

**KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (369-00-2697-1100; 369-00-2921-1200).....	No limit
Rehabilitation and repair projects (369-00-2697-1100).....	No limit

Sec. 158.

**KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER**

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (368-00-5160-5300).....	No limit
Rehabilitation and repair projects (368-00-2129-5500; 368-00-5160-5300; 368-00-2590-5530).....	No limit
AHU replacement project (368-00-2590-5530).....	No limit
Mosier lab renovation (368-00-2590-5530).....	No limit

Sec. 159.

#### PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Building renovations – debt service 2014A1, 2022E (385-00-2833-2831; 385-00-5106-5105).....	No limit
Overman student center – debt service 2014A2 (385-00-2820-2820).....	No limit
Energy conservation projects – debt service 2011D/D3, 2015M, 2014A-1 (385-00-5165-5050; 385-00-2070-2010; 385-00-5646-5160).....	No limit
Student housing projects – debt service 2011D1, 2020H, 2014A1 (385-00-2833-2831; 385-00-5165-5050).....	No limit
Parking facility – debt service 2020H (385-00-5187-5060).....	No limit
Tyler scientific research center – debt service 2015K (385-00-2903-2903).....	No limit
Debt service refunding – 2022E (385-00-2070-2010; 385-00-5106-5105).....	No limit
Deferred maintenance projects (385-00-2486-2486).....	No limit
Student health center – debt service 2009G (385-00-2828-2851).....	No limit
Overman student center project (385-00-2820-2820).....	No limit
Rehabilitation and repair projects (385-00-2833-2831; 385-00-2070-2010; 385-00-2529-2040).....	No limit
Student housing maintenance projects (385-00-5646-5160).....	No limit
Parking maintenance projects (385-00-5187-5060).....	No limit
Energy conservation projects – debt service 2011D/D3, 2015M, 2014A-1 (385-00-5165-5050).....	No limit
Student housing project – debt service 2011D1 (385-00-2833-2830).....	No limit

Student housing projects – debt service 2014A2, 2011D1/D3, 2014A1, 2020H (385-00-5165-5050).....	No limit
Student housing projects – debt service 2011D1 (385-00-5646-5160).....	No limit
Parking facility – debt service 2020H (385-00-5187-5060).....	No limit
Tyler scientific research center – debt service 2015K (385-00-2903-2903).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 160.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student housing projects – debt service 2014C, 2017A, 2020B, 2021D (682-00-5142-5050).....	No limit
Engineering facility – debt service 2021D (682-00-2153-2153; 682-00-2545-2080).....	No limit
Student recreation center – debt service 2017A (682-00-2864-2860).....	No limit
Parking facilities – debt service 2014C, 2017A (682-00-5175-5070).....	No limit
McCullum hall parking facility – debt service 2014C (682-00-5175-5070).....	No limit
Energy conservation projects – debt service	

2020B (682-00-2107-2000; 682-00-2545-2080).....	No limit
Energy conservation projects – debt service (682-00-2545-2080).....	No limit
Earth, energy and environment center – debt service 2017A (682-00-2545-2080).....	No limit
Parking maintenance projects (682-00-5175-5070).....	No limit
Student housing maintenance projects (682-00-5621-5110; 682-00-5142-5050; 682-00-2545-2080; 682-00-2905-2160).....	No limit
Rehabilitation and repair projects (682-00-2107-2000; 682-00-2545-2080).....	No limit
Kansas law enforcement training center projects (682-00-2133-2020).....	No limit
Rehabilitation and repair projects (682-00-2545-2080).....	No limit
Deferred maintenance projects (682-00-2487-2487).....	No limit
Student health facility rehabilitation and repair projects (682-00-5640-5120).....	No limit
Student recreation center rehabilitation and repair (682-00-2864-2860).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(e) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for to construct, upgrade and equip the Kansas geological survey's laboratory facilities to increase onsite storage and layout space that will house high-end core scanning instrumentation, enhance the core analysis and water quality programs,

improve on-site examination space, provide additional wet labs and to improve analytical capabilities, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*; That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such capital improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$3,800,000 as available from such funds to the special revenue fund of the above agency designated by the chancellor of the above agency for the purpose of funding such capital improvements: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*; That such funds shall be expended for such projects: *Provided, however*; That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such project shall not be funded pursuant to this subsection.

Sec. 161.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Health education building –	
debt service 2017A (683-00-2108-2500).....	No limit
Energy conservation –	
debt service 2020B (683-00-2108-2500).....	No limit
Hemenway research initiative – debt service	
2020B (683-00-2907-2800; 683-00-2108).....	No limit
KUMC research institute – debt service	
2020B (683-00-2907-2800; 683-00-2108).....	No limit
Parking garage 3 –	
debt service 2014C (683-00-5176-5550).....	No limit
Parking garage 4 – debt service	
2020B (683-00-5176-5550).....	No limit
Parking garage 5 –	
debt service 2016C (683-00-5176-5550).....	No limit
Deferred maintenance projects (683-00-2488-2488).....	
Rehabilitation and repair projects	
(683-00-2108-2500; 683-00-2394-2390;	
683-00-2551-2600; 683-00-2907-2800;	
683-00-2915-2915).....	
	No limit
Parking maintenance projects (683-00-5176-5550).....	
	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 162.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation –	
debt service (715-00-2112-2000).....	No limit
Rhatigan student center –	
debt service 2020P (715-00-2558-2030).....	No limit
Engineering research lab – debt	
service 2016J (715-00-2558-2030).....	No limit
Shocker residence hall –	
debt service 2021L (715-00-5100-5250).....	No limit
Parking garage – debt	
service 2016J (715-00-5148-5000).....	No limit
Fairmont towers – debt	
service 2012A2 (715-00-5620-5270).....	No limit
Woolsey hall – school of business	
debt service 2020P (715-00-2112-2000;	
715-00-2558-2030).....	No limit
Flats and suites –	
debt service 2020P (715-00-5100-5250).....	No limit
Convergence sciences 2 – debt	
service 2021L (715-00-2558).....	No limit
Honors colleges foundation –	
debt service (715-00-2112-2000).....	No limit

Deferred maintenance projects (715-00-2489-2489).....	No limit
Rehabilitation and repair projects (715-00-2558-2030; 715-00-2908-2080; 715-00-2558-3000; 715-00-2112-2000).....	No limit
Parking maintenance projects (715-00-5159-5040).....	No limit
Clinton hall shocker student success center – debt service 2022G (715-00-2112-2000; 715-00-2558-2030).....	No limit
Marcus welcome center project (715-00-2558; 715-00-2112-2000).....	No limit
Student housing projects (715-00-5100-5250).....	No limit
NIAR/engineering/industry & defense projects (715-00-2908-2080; 715-00-2558-2030; 715-00-2558-3000).....	No limit
Cessna stadium demolition (715-00-2558-2030).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(e) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the renovation and equipment of the university stadium on the campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the

issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$17,850,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the renovation of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That Wichita state university shall make provisions for the maintenance of the stadium.

(f) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the construction and equipment of the NIAR technology and innovation building on the innovation campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,200,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state

of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the building.

Sec. 163.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

State universities facilities capital renewal initiative (561-00-1000-0320).....\$20,000,000

*Provided*, That any unencumbered balance in the state universities facilities capital renewal initiative account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the the state universities facilities capital renewal initiative account of the state general fund to the state universities facilities capital renewal initiative account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for the state universities facilities capital renewal initiative approved by the state board of regents: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided further*, That any expenditures made by the board of regents or a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, from such account during fiscal year 2024 shall require a match of nonstate moneys on a \$1-for-\$1 basis, from either the state educational institution or private moneys.

Demolition of buildings (561-00-1000-8510).....\$10,000,000

*Provided*, That any unencumbered balance in the demolition of buildings account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, The state board of regents is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to a demolition of buildings account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for demolition projects approved by the state board of regents: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided further*, That all expenditures from the demolition of buildings account in fiscal year 2024 shall be only for the demolition or razing of buildings on the campus of state educational institutions as defined by K.S.A. 76-711, and amendments thereto: *Provided, however*, That expenditures of \$750,000 shall be made in fiscal year 2024 for demolition of buildings at Washburn university in Topeka, Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational

building fund (561-00-8001-8108).....No limit  
*Provided*, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning, new construction and razing, approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Sec. 164.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Priority capital improvement projects (400-00-1000).....	\$4,000,000
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*Provided*, That no expenditures shall be made from the priority capital improvement projects account to raze buildings at the Lansing correctional facility.

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of correctional institutions (521-00-8600-8240).....	\$4,442,000
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*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2024 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2024 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities (521-00-8100-8000).....	\$630,000
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*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2024 from the capital improvements – rehabilitation and repair account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of corrections to be expended during fiscal year 2024 for capital improvement projects approved by the secretary: *Provided further*; That the secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility	
infrastructure project (521-00-2834).....	No limit
Correctional industries fund capital unit (522-00-6126-7301).....	No limit

Sec. 165.

ATTORNEY GENERAL –  
KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and	
repair projects (083-00-1000-0100).....	\$300,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 166.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2024, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training	
center – Salina (280-00-2306-2004).....	No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2024.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund (280-00-2213) for fiscal year 2024, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation	
and repair (280-00-2213-2401).....	No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2024.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2024, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and	
repair of buildings (280-00-2034-1115).....	\$382,144

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2024.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$382,144 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2024 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2024 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund (280-00-3545) for fiscal year 2024, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-3545-3548).....	No limit
Troop F storage building (280-00-3545-3545).....	No limit
KHP federal forfeiture – new construction.....	No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2024.

Sec. 167.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (034-00-1000-8000).....	\$1,156,322
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*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Deferred maintenance (034-00-1000-0700).....	\$2,000,000
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*Provided*, That any unencumbered balance in the deferred maintenance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in excess of \$100 as of June 30, 2023, in the each of the following accounts are hereby reappropriated for fiscal year 2024: Hays army (034-00-1000-8040); SDB remodel (034-00-1000-8030).

Sec. 168.

STATE FAIR BOARD

(a) For the fiscal year ending June 30, 2023, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for security projects on the state fairgrounds, may be expended at the discretion of the state in compliance with the office of management and budget's

uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*; That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such security projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$600,000 as available from such funds to the special revenue fund of the above agency designated by the general manager of the above agency for the purpose of funding such security projects: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*; That such funds shall be expended for such projects: *Provided, however*; That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such project shall not be funded pursuant to this subsection.

Sec. 169.

STATE FAIR BOARD

(a) Any unencumbered balance in the following accounts of the state general fund for the above agency in excess of \$100 as of June 30, 2023, are hereby reappropriated for fiscal year 2024: Bison arena renovation (373-00-1000-8105) and state fair facilities upgrades (373-00-1000-8110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund (373-00-2533-2500).....No limit

(c) On or before the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 170.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Dam repair.....\$2,500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

State parks operating expenditures (710-00-1900-1920).....\$364,841

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund (710-00-2178-2760).....No limit

*Provided*, That, in addition to the other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070).....No limit

Office of the secretary building fund.....No limit

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,402,545 from the state highway fund (276-00-4100-4100) of the department of transportation to the department access road fund (710-00-2178-2760) of the Kansas department of wildlife and parks.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the bridge maintenance fund (710-00-2045-2070) of the Kansas department of wildlife and parks.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2024.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and

repair projects (710-00-2122-2066).....\$2,055,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2024.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$50,000

*Provided*, That all expenditures from each such capital improvement account shall be

in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2024.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....	\$302,256
Land acquisition (710-00-2300-3040).....	\$400,000
Federally mandated	
boating access (710-00-2300-4360).....	\$743,500
Rehabilitation and repair (710-00-2300-3262).....	\$2,535,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2024.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....	\$500,000
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2024.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3418-3422).....	\$4,097,500
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2024.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....	\$650,000
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2024.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2024, expenditures may be made by the above agency from the following capital

improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$775,004

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2024.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation

development (710-00-3794-3794).....\$800,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2024.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$730,421

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2024.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

FLW-AG land capital improvements.....\$50,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2024.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be

in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2024.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, nonfederal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, other federal grants fund and recreation resource management fund for fiscal year 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2023: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 171. K.S.A. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) Except as provided further, on each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. For the fiscal year ending June 30, ~~2022~~ 2023, notwithstanding the other provisions of this section, on March 1, ~~2022~~ 2023, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2022~~ 2023 from state fair activities and non-fair days activities through March 1, ~~2022~~ 2023, except that, subject to approval by the director of the budget prior to March 1, ~~2022~~ 2023, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital

improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2022~~ 2023, the state fair board may certify an amount on March 1, ~~2022~~ 2023, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2022~~ 2023, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2022~~ 2023. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification. For the fiscal year ending June 30, ~~2023~~ 2024, notwithstanding the other provisions of this section, on March 1, ~~2023~~ 2024, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2023~~ 2024 from state fair activities and non-fair days activities through March 1, ~~2023~~ 2024, except that, subject to approval by the director of the budget prior to March 1, ~~2023~~ 2024, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2023~~ 2024, the state fair board may certify an amount on March 1, ~~2023~~ 2024, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2023~~ 2024, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2023~~ 2024. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

Sec. 172. K.S.A. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city that, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 72-5142, and amendments thereto, within such redevelopment district. Except as provided further, to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing

revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified. During fiscal years ~~2022~~, 2023, 2024 and ~~2024~~ 2025, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund, which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 173. K.S.A. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) On ~~July 1, 2021~~, July 1, 2022, ~~and~~ July 1, 2023, and July 1, 2024, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, to the contrary, during fiscal year ~~2022~~, ~~fiscal year 2023~~ ~~and~~, fiscal year 2024 and fiscal year 2025, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before ~~January 9, 2023~~, January 8, 2024, ~~and~~ January 13, 2025, and January 12, 2026, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 174. K.S.A. 2022 Supp. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with

parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the

department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund that shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. On July 1 of each year, the director of accounts and reports shall determine the amount credited to the medical assistance fee fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the newborn screening program for the ensuing fiscal year as certified by the secretary of health and environment or the secretary's designee to the Kansas newborn screening fund. Such amount shall not exceed ~~\$2,500,000 in any one fiscal year, except that such amount shall not exceed \$5,000,000 in fiscal years 2022 and 2023, 2024 and 2025.~~

Sec. 175. K.S.A. 2022 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, 2021, and on the first day of each month thereafter during ~~fiscal year 2022; fiscal year 2023 and~~, fiscal year 2024 and fiscal year 2025, the

secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. ~~During fiscal year 2022, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$8,500,000 for each such fiscal year.~~ During fiscal year 2023 ~~and~~ fiscal year 2024 ~~and fiscal year 2025~~, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$20,000,000 for each such fiscal year.

(b) Commencing on July 1, ~~2024~~ 2025, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 176. K.S.A. 2022 Supp. 74-8711 is hereby amended to read as follows: 74-8711. (a) There is hereby established in the state treasury the lottery operating fund.

(b) Except as provided by K.S.A. 74-8724 and the Kansas expanded lottery act, and amendments thereto, the executive director shall remit all moneys collected from the sale of lottery tickets and shares and any other moneys received by or on behalf of the Kansas lottery to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the lottery operating fund. Moneys credited to the fund shall be expended or transferred only as provided by this act. Expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person designated by the executive director.

(c) Moneys in the lottery operating fund shall be used for:

(1) The payment of expenses of the lottery, which shall include all costs incurred in the operation and administration of the Kansas lottery; all costs resulting from contracts entered into for the purchase or lease of goods and services needed for operation of the lottery, including but not limited to supplies, materials, tickets, independent studies and surveys, data transmission, advertising, printing, promotion, incentives, public relations, communications and distribution of tickets and shares; and reimbursement of costs of facilities and services provided by other state agencies;

(2) the payment of compensation to lottery retailers;

(3) transfers of moneys to the lottery prize payment fund pursuant to K.S.A. 74-

8712, and amendments thereto;

(4) transfers to the state general fund pursuant to K.S.A. 74-8713, and amendments thereto;

(5) transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e);

(6) transfers to the state gaming revenues fund pursuant to subsection (d) and as otherwise provided by law;

(7) transfers to the white collar crime fund of the governor pursuant to subsection (f);

(8) transfers to the problem gambling and addictions grant fund of the department for aging and disability services pursuant to subsection (g); ~~and~~

(9) transfers to the attracting professional sports to Kansas fund of the department of commerce pursuant to subsection (h); and

(10) transfers to the county reappraisal fund as prescribed by law.

(d) The director of accounts and reports shall transfer moneys in the lottery operating fund to the state gaming revenues fund created by K.S.A. 79-4801, and amendments thereto, on or before the 15<sup>th</sup> day of each month in an amount certified monthly by the executive director and determined as follows, whichever is greater:

(1) An amount equal to the moneys in the lottery operating fund in excess of those needed for the purposes described in subsections (c)(1) through (c)(6); or

(2) except for pull-tab lottery tickets and shares, an amount equal to not less than 30% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets. In the case of pull-tab lottery tickets and shares, an amount equal to not less than 20% of the total monthly revenues from the sales of pull-tab lottery tickets and shares less estimated returned tickets.

(e) (1) Subject to the limitations set forth in paragraph (2), commencing in fiscal year 2020, on or before the 10<sup>th</sup> day of each month, the director of the lottery shall certify to the director of accounts and reports all net profits from the sale of lottery tickets and shares via lottery ticket vending machines. Of such certified amount, the director of accounts and reports shall transfer 75% from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services.

(2) Moneys transferred pursuant to paragraph (1) shall not exceed in the aggregate ~~\$4,000,000~~ \$9,000,000 in fiscal year ~~2019~~ years 2023 and 2024, and shall not exceed in the aggregate \$8,000,000 in fiscal year ~~2020~~ 2025 and each fiscal year thereafter.

(f) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, the first \$750,000 credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the white collar crime fund established in K.S.A. 2022 Supp. 74-8792, and amendments thereto.

(g) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 2% of the remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the problem gambling and addictions

grant fund established in K.S.A. 79-4805, and amendments thereto.

(h) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 80% of the remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the attracting professional sports to Kansas fund established in K.S.A. 2022 Supp. 74-8793, and amendments thereto.

Sec. 177. K.S.A. 2022 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (h), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund, which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) There is hereby established in the state treasury the national bio agro-defense facility fund, which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering

committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During fiscal years ~~2022, 2023 and~~ 2024 and 2025, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 178. K.S.A. 2022 Supp. 75-2263 is hereby amended to read as follows: 75-2263. (a) Subject to the provisions of subsection (j), the board of trustees is responsible for the management and investment of that portion of state moneys available for investment by the pooled money investment board that is certified by the state treasurer to the board of trustees as being equivalent to the aggregate net amount received for unclaimed property and shall discharge the board's duties with respect to such moneys solely in the interests of the state general fund and shall invest and reinvest such moneys and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of such moneys within the limitations and according to the powers, duties and purposes as prescribed by this section.

(b) Moneys specified in subsection (a) shall be invested and reinvested to achieve the investment objective, which is preservation of such moneys and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this section. No such moneys shall be invested or reinvested if the sole or primary investment objective is for economic development or social purposes or objectives.

(c) In investing and reinvesting moneys specified in subsection (a) and in acquiring, retaining, managing and disposing of investments of the moneys, the board of trustees shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the moneys so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar moneys, considering the probable income as well as the probable safety of their capital.

(d) In the discharge of such management and investment responsibilities the board of trustees may contract for the services of one or more professional investment

advisors or other consultants in the management and investment of such moneys and otherwise in the performance of the duties of the board of trustees under this section.

(e) The board of trustees shall require that each person contracted with under subsection (d) to provide services shall obtain commercial insurance that provides for errors and omissions coverage for such person in an amount to be specified by the board of trustees. The amount of such coverage specified by the board of trustees shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board of trustees shall require a person contracted with under subsection (d) to provide services to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board of trustees, with corporate surety authorized to do business in this state. Such persons contracted with the board of trustees pursuant to subsection (d) and any persons contracted with such persons to perform the functions specified in subsection (b) shall be deemed to be fiduciary agents of the board of trustees in the performance of contractual obligations.

(f) (1) Subject to the objective set forth in subsection (b) and the standards set forth in subsection (c), the board of trustees shall formulate and adopt policies and objectives for the investment and reinvestment of such moneys and the acquisition, retention, management and disposition of investments of the moneys. Such policies and objectives shall be in writing and shall include:

(A) Specific asset allocation standards and objectives;

(B) establishment of criteria for evaluating the risk versus the potential return on a particular investment; and

(C) a requirement that all investment advisors, and any managers or others with similar duties and responsibilities as investment advisors, shall immediately report all instances of default on investments to the board of trustees and provide such board of trustees with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment.

(2) The board of trustees shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(g) Except as provided in subsection (d) and this subsection, the custody of such moneys shall remain in the custody of the state treasurer, except that the board of trustees may arrange for the custody of such moneys as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. All such moneys shall be considered moneys in the state treasury for purposes of K.S.A. 75-6704, and amendments thereto.

(h) All interest or other income of the investments of the moneys invested under this section, after payment of any management fees, shall be deposited in the state treasury to the credit of the state general fund.

(i) The state treasurer shall certify to the board of trustees a portion of state moneys available for investment by the pooled money investment board that is equivalent to the aggregate net amount received for unclaimed property. The state treasurer shall transfer the amount certified to the board of trustees. During fiscal years ~~2022~~, 2023 ~~and~~, 2024 ~~and~~ 2025, the state treasurer shall not certify or transfer any state moneys available for investment pursuant to this subsection.

(j) As used in this section:

(1) "Board of trustees" means the board of trustees of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto.

(2) "Fiduciary" means a person who, with respect to the moneys invested under this section:

(A) Exercises any discretionary authority with respect to administration of the moneys;

(B) exercises any authority to invest or manage such moneys or has any authority or responsibility to do so;

(C) provides investment advice for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so;

(D) provides actuarial, accounting, auditing, consulting, legal or other professional services for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so; or

(E) is a member of the board of trustees or of the staff of the board of trustees.

Sec. 179. K.S.A. 2022 Supp. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, and June 30, 2025, the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of, or is less than, the amount of estimated tax receipt revenues to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) ~~(1) Upon~~ Except as provided in paragraph (2), upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund for the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, and June 30, 2025, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(2) During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, if the balance of the budget stabilization fund is 15% or greater of the amount of actual tax receipt revenues to the state general fund at the end of each such fiscal year, no transfers from the state general fund to the budget stabilization fund shall be made pursuant to this subsection.

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers shall be made pursuant to this section.

Sec. 180. K.S.A. 2022 Supp. 76-775 is hereby amended to read as follows: 76-775.

(a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state

educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2022,~~ June 30, 2023, ~~and~~ June 30, 2024, June 30, 2025, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund, which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section, and amendments thereto, for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 181. K.S.A. 2022 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto, during the fiscal years ending ~~June 30, 2022,~~ June 30, 2023, ~~and~~ June 30, 2024, and June 30, 2025, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state

board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 182. K.S.A. 2022 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2022, 2023 and 2024~~ and 2025; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2025~~ 2026 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 183. K.S.A. 2022 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts that in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2022, 2023 and 2024~~ and 2025. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 184. K.S.A. 2022 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and

amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2022~~, state fiscal year 2023 ~~or~~, state fiscal year 2024 or state fiscal year 2025; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 185. K.S.A. 2022 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~or~~ June 30, 2024, or June 30, 2025. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 186. K.S.A. 2022 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than  $\frac{1}{2}$  of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund, which are created by this section, or for state fiscal years 2022, 2023 and, 2024 and 2025, to an account or accounts of the fund created by appropriation acts.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall

be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds, which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects, which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. ~~In state fiscal year 2022, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$1,719,264 from the state economic development initiatives fund to the state water plan fund.~~ No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance that meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 187. K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-2964, 79-3425i, 79-34,171 and 79-4804 are hereby repealed.

Sec. 188. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name

described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 189. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Sec. 190. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 191. *Savings.* (a) Any unencumbered balance as of June 30, 2023, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2024, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund or the correctional institutions building fund, or to any account of any of such funds.

Sec. 192. During the fiscal year ending June 30, 2024, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2023 regular session of the legislature are hereby appropriated for the fiscal year ending June 30, 2024, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority for the payment of debt service for bonds issued by the Kansas development finance authority or for any related purpose in accordance with applicable bond covenants.

Sec. 193. *Federal grants.* (a) Except as provided in subsection (c), during the fiscal year ending June 30, 2024, each federal grant or other federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature is hereby appropriated for fiscal year 2024 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(b) Except as provided in subsection (c), in addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2024 by this act or any other appropriation act of the 2023 regular session of the legislature to apply for and receive federal grants during fiscal year 2024, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(c) The provisions of this section shall not apply to section 198.

Sec. 194. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, for the same uses and purposes as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2022.

Sec. 195. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2022.

Sec. 196. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2022.

Sec. 197. Any transfers of moneys during the fiscal year ending June 30, 2024, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2024.

Sec. 198. During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 75-3711a or 75-3711b, and amendments thereto, section 193 or any other statute to the contrary, in addition to the other purposes

for which expenditures may be made by any state agency that is named in this act, expenditures may be made by such state agency from moneys appropriated for fiscal year 2023, fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to apply for and receive federal grants during fiscal years 2023, 2024 and 2025: *Provided*, That federal grants are hereby authorized to be applied for and received by such state agencies that concern moneys from the federal government subject to the following provisions: *Provided further*; That except as provided further, no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt of discretionary state funding related to COVID-19, any other unforeseen public health emergency, or any national recession or other currently unknown national emergency during fiscal years 2023, 2024 and 2025 that has not been previously appropriated, reappropriated or approved for expenditure by the legislature until the legislature expressly consents to and approves such appropriation or expenditure by an act of the legislature: *Provided however*; That if such federal grant or receipt is a part of a continuing, existing state program that was previously appropriated, reappropriated or approved for expenditure by the legislature in fiscal year 2022 or fiscal year 2023 for such agency, then during fiscal years 2023, 2024 and 2025, such agency is authorized to expend all approved moneys lawfully credited to and available in such fund or funds during fiscal years 2023, 2024 and 2025: *And provided further*; That during fiscal years 2023, 2024 and 2025, any agency that is expending moneys as a continuing, existing program that was previously appropriated, reappropriated or approved for expenditure by the legislature in fiscal year 2022 or fiscal year 2023 shall submit a report to the senate committee on ways and means and the house of representatives committee on appropriations within 30 days of receipt of the federal grant or other federal receipt detailing the continuing, existing program, the citation to the previously appropriated, reappropriated or approved for expenditure authorization by the legislature, the total amount of such grant or receipt and the proposed expenditures from such grant or receipt.";

And by renumbering sections accordingly;

Also on page 3, in line 16, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 6; in line 7, by striking "sections" and inserting "making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; authorizing and directing payment of certain claims against the state; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICK BILLINGER

J R CLAEYS

PAT PETTEY

*Conferees on part of Senate*

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

*Conferees on part of House*

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2184**.

On roll call, the vote was: Yeas 24; Nays 12; Present and Passing 4; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Ryckman, Shallenburger, Thompson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, O'Shea, Peck, Pittman, Pyle, Reddi, Sykes, Tyson, Ware.

Present and Passing: Faust-Goudeau, Haley, Steffen, Straub.

The Conference Committee Report was adopted.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 42** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 340;

On page 341, by striking all in lines 1 through 18; following line 18, by inserting:

"Section 1. K.S.A. 65-6209 is hereby amended to read as follows: 65-6209. (a) A hospital provider that is a state agency, the authority, as defined in K.S.A. 76-3304, and amendments thereto, a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, ~~or a critical access hospital, as defined in K.S.A. 65-468, and amendments thereto,~~ or a rural emergency hospital licensed under the rural emergency hospital act, K.S.A. 2022 Supp. 65-481 et seq., and amendments thereto, is exempt from the assessment imposed by K.S.A. 65-6208, and amendments thereto.

(b) A hospital operated by the department in the course of performing its mental health or developmental disabilities functions is exempt from the assessment imposed by K.S.A. 65-6208, and amendments thereto.

Sec. 2. K.S.A. 80-2506 is hereby amended to read as follows: 80-2506. (a) Every hospital shall be governed by a board composed of members who are qualified electors of the county where the hospital is located or of any county adjacent to such county and, if such member is a qualified elector of an adjacent county, such member shall own real property located in the territory included in the taxing district of the hospital. The board shall be composed of three, five, seven or nine members. A majority of the members of the board shall be residents of the county where the hospital is located. Whenever the number of members of a board is increased, the expiration of the terms of the members selected for the new positions on the board shall be fixed to coincide with the expiration of the terms of the members serving on the board at the time of the creation of the new positions so that not more than a simple majority of the members of the board is

selected at the same time.

(b) Upon presentation to the board of commissioners of the county ~~in which~~ where the hospital district, or the greater portion of the territory thereof, is located, of a petition requesting a change in the number of board members signed by not less than 5% of the qualified electors of the district, it shall be the duty of the board of county commissioners, at its next regular meeting, to examine the petition. The petition shall set forth the requested number of board members. If the board of county commissioners finds that the petition is sufficient and regular and in due form as is provided in this section, the board of county commissioners shall direct the county election officer of the county to prepare ballots for a special election, including ballots for that portion of the district located in any other county. The county election officers of each county shall present the question to the qualified voters of the district at the next general election in the counties, and the board of county commissioners of each county shall certify the results of the votes cast in the county to the board of county canvassers in the county ~~in which~~ where the ballots were prepared. The change in number shall become effective at the next election for board members if a majority of the qualified electors voting on the question vote in favor of the change in number of board members.

(c) Subject to the provisions of ~~subsection (b) of~~ K.S.A. 80-2508**(b)**, and amendments thereto, members of the board of every existing hospital shall serve as members of such board for the terms for which they were selected and until their successors are selected and qualified. Except as provided by ~~subsection (a)(4) of~~ K.S.A. 80-2508**(a)(4)**, and amendments thereto, successors to such members shall be selected to serve for a term of three years.

(d) Terms of members of the first board of any hospital established under the provisions of this act shall be as provided for in ~~subsection (b) of~~ K.S.A. 80-2504**(b)**, and amendments thereto, and shall be staggered so that terms of not more than a simple majority of the members expire at the same time. Thereafter, except as provided by ~~subsection (a)(4) of~~ K.S.A. 80-2508**(a)(4)**, and amendments thereto, upon the expiration of terms of members first selected, successors to such members shall be selected to serve for terms of three years.

(e) Vacancies in the membership of a board occasioned by death, removal, resignation or any reason other than expiration of a term shall be filled for the unexpired term by appointment by the chairperson of the board with the advice and consent of the remaining members of the board.

Sec. 3. K.S.A. 65-6209 and 80-2506 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 10; in line 11, by striking all before the period and inserting "concerning hospitals; relating to the hospital provider assessment; exempting rural emergency hospitals from such assessment; relating to the qualifications of hospital board members; requiring that a member be a qualified elector of the county where the hospital is located or a qualified elector of an adjacent county and owner of real property in the hospital taxing district and a majority of members be residents of the county where the hospital is located; amending K.S.A. 65-6209 and 80-2506 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

TROY WAYMASTER  
 KYLE HOFFMAN  
 HENRY HELGERSON  
*Conferees on part of House*

RICK BILLINGER  
 J R CLAEYS  
 PAT PETTEY  
*Conferees on part of Senate*

Senator McGinn moved the Senate adopt the Conference Committee Report on **H Sub SB 42**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle.

Absent or Not Voting: Shallenburger.

The Conference Committee Report was adopted.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 221** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 32, after "(e)" by inserting "An affidavit of write-in candidacy for the offices of United States senator and United States house of representatives shall be filed with the secretary of state not later than 12:00 noon on the fourth Monday preceding the election at which the write-in candidate seeks nomination or election.

(f)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 3, in line 22, by striking "which" and inserting "that"; in line 39, after "(6)" by inserting "A write-in vote for candidates for the offices of Unites States senator and United States house of representatives shall not be counted unless the candidate has filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments thereto.

(7)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 4, following line 7, by inserting:

"(10) When a registered voter who is unaffiliated with a political party has cast a provisional partisan ballot in a primary election, the canvassers shall count the votes for those offices or issues for which an unaffiliated voter may cast a vote. The canvassers

shall not count the votes for those offices for which only a voter who is affiliated with a political party may cast a vote.

New Sec. 4. (a) The secretary of state shall be responsible for assisting and advising county election officers in conducting elections in compliance with federal and state laws and rules and regulations.

(b) Each county election officer shall be the sole public officer responsible for planning, conducting and coordinating elections held within such officer's county. Such officer shall be responsible for ensuring that all such elections comply with federal and state law and rules and regulations.

New Sec. 5. No person shall serve as a county election officer if such person has been convicted of any crime described in chapter 25 of the Kansas Statutes Annotated, and amendments thereto, or of any crime in any other jurisdiction that is substantially the same as any such crime.

New Sec. 6. (a) Except as provided in subsection (b), no county election office or any employee or agent thereof shall create, or permit any other person to create, or disclose to any person an image of the hard drive of any electronic or electromechanical voting system, optical scanning equipment or any other voting system that contains a hard drive component without the written consent of the secretary of state.

(b) Each county election officer shall create a backup copy of the hard drive of any electronic or electromechanical voting system, optical scanning equipment or any other voting system that contains a hard drive component. Such backup copies shall be created immediately prior to and immediately after any system updates, repairs or improvements and prior to and after each general election. The county election officer shall maintain such backup copies in a secured location for not less than 22 months.

Sec. 7. K.S.A. 10-120 is hereby amended to read as follows: 10-120. (a) Whenever an election is required for the issuance of bonds for any purpose by any municipality other than an irrigation district or where a different procedure for giving notice of the election is specifically provided by law, upon compliance with the legal requirements necessary and precedent to the call for the election, the proper municipal officers shall call an election. The election shall be held within ~~45~~ 60 days after compliance with the necessary requirements, or within 90 days, should the longer period include the date of a general election.

(b) Notice of the election shall be published in a newspaper of general circulation in the municipality once each week for two consecutive weeks. The first publication shall be not less than 21 days prior to the election. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and shall remain on the website until the day after the election. The notice shall set forth the time and place of holding the election and the purpose for which the bonds are to be issued and shall be signed by the county election officer. The election shall be held at the usual place of holding elections and shall be conducted by the officers or persons provided by law for holding elections in the municipality.

Sec. 8. K.S.A. 15-809 is hereby amended to read as follows: 15-809. (a) Any city of the third class ~~which that~~ owns an electric light or waterworks plant, electric transmission line; or water, gas or electric distribution system may sell the same, except that the sale shall not be made until the proposition of whether to sell has been submitted to a vote of the qualified electors of the city. If a majority of the qualified

electors who vote in the election vote in favor of the sale, the governing body may dispose of the plant, transmission line or distribution system; according to the proposition voted on at the election. The proposition submitted to the electors shall contain a statement of the proposed sale price and the name of the purchaser.

(b) When the governing body of such city decides to put the proposition to a vote, the governing body shall pass an ordinance calling an election to be held within 40-60 days after the passage of the ordinance. The mayor shall cause a notice of the election to be published once a week for two consecutive weeks, with the first publication to be not less than 21 days preceding the election. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and shall remain on the website until the day after the election. The notice shall state the purpose of the election, giving the sale price and the name of the purchaser, the date of the election, and the places of voting. The proposed purchaser shall bear all the expenses of the election.

(c) All sales shall be for cash, and the proceeds of the sale shall be applied upon the payment of any outstanding bonds or obligations incurred in the purchase, erection or improvement of the property sold. The excess, if any, shall be paid into the general fund of the city. If the city is unable to purchase the unmatured bonds issued for the purchase, erection or improvement of the property sold, the governing body may invest the money necessary to take up such bonds at maturity in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein or in any municipal bonds of this state, ~~which~~ and such bonds shall become due prior to the due date of the bonds issued for the purchase, erection or improvement of the property sold, or in government bonds or federal landbank bonds. The purchase price and proceeding of the sale shall be filed with the state corporation commission.

Sec. 9. K.S.A. 19-303 is hereby amended to read as follows: 19-303. If a vacancy in the office of county clerk should occur by death, resignation; or otherwise, the vacancy shall be filled by appointment of a qualified elector of ~~the county this state~~ in the manner ~~herein~~ provided in this section. If the vacancy occurs on or after May 1 of the second year of the term, the person so appointed shall serve for the remainder of the unexpired term and until a successor is elected and qualifies. If the vacancy occurs before May 1 of the second year of the term, the person appointed to fill the vacancy shall serve until a successor is elected and ~~qualifies~~ qualified at the next general election to serve the remainder of the unexpired term. Nomination and election of such successor shall be in the same manner as nomination and election of a county clerk for a regular term. Appointments hereunder shall be made in the manner provided by law for filling vacancies in the office of member of the house of representatives.

Sec. 10. K.S.A. 19-804 is hereby amended to read as follows: 19-804. Except in those counties operating under the provisions of consolidated law enforcement acts, whenever a vacancy occurs in the office of sheriff of any county, the undersheriff of such county shall in all things execute the office of sheriff until a sheriff shall be appointed by the governor in the manner provided by law for filling vacancies in the office of member of the house of representatives. Any individual appointed to the office of sheriff shall be a qualified elector of the county on the day such individual is sworn in as sheriff of such county. If the vacancy occurs on or after May 1 of the second year of the term, the person so appointed shall serve for the remainder of the unexpired term

and until a successor is elected and ~~qualifies~~ qualified. If the vacancy occurs before May 1 of the second year of the term, the person appointed to fill the vacancy shall serve until a successor is elected and ~~qualifies~~ qualified at the next general election to serve the remainder of the unexpired term. Nomination and election of such successor shall be in the same manner as nomination and election of a sheriff for a regular term. Any default or misfeasance in office of such undersheriff in the meantime, as well as before such vacancy, shall be deemed to be a breach of the condition of the bond given by the sheriff who appointed the undersheriff, and also a breach of the condition of the bond executed by such undersheriff to the sheriff by whom the undersheriff was appointed.

Sec. 11. K.S.A. 19-3419 is hereby amended to read as follows: 19-3419. In counties of this state having a population exceeding ~~130,000~~ 125,000, as certified to the secretary of state by the director of the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto, or as otherwise determined pursuant to K.S.A. 11-202, and amendments thereto, there shall be an office of commissioner of elections, ~~which that~~ shall be administered by an election commissioner. The election commissioner shall be appointed by the secretary of state and shall hold office for a term of four years and until a successor is appointed and qualified. The secretary, in consultation with the chairperson of the board of county commissioners for the county where an election commissioner is to be appointed, shall form a search committee to identify, interview and recommend to the secretary at least three candidates for the position of election commissioner. Such search committee shall include the chairperson of the board of county commissioners for such county, or a county commissioner for such county as designated by the chairperson, a representative of such county's human resources department and three representatives of the secretary of state's office. The secretary of state may remove the election commissioner for official misconduct. Upon occurrence of a vacancy in the office of county election commissioner, the secretary of state shall appoint a successor. If the vacancy occurs before the expiration of a term of office, the appointment shall be for the unexpired term. ~~Such election commissioner shall have been a qualified elector and a resident of the county at least two years prior to appointment. Such election commissioner shall have been a resident of the state at least two years prior to appointment.~~ Within 10 days after receiving official notice of the appointment and before entering upon the duties of the office, the election commissioner shall take, subscribe and cause to be filed in the office of the secretary of state an oath of office for the faithful discharge of official duties. The election commissioner shall be a resident of the county on the day such election commissioner files the oath of office.

Sec. 12. K.S.A. 19-3422 is hereby amended to read as follows: 19-3422. All the jurisdiction, powers and duties now or hereafter conferred by law upon the county clerks and city, school and township officers relating to the conduct, supervision and control of elections, are hereby withdrawn from ~~said such~~ county clerks and city, school and township officers; in all counties having a population of more than ~~one hundred thousand (100,000)~~ 125,000, as certified to the secretary of state by the director of the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto, or as otherwise determined pursuant to K.S.A. 11-202, and amendments thereto, and the same such jurisdiction, powers and duties are conferred upon the election commissioner appointed as provided in K.S.A. 19-3419; ~~and, and~~

amendments thereto. All laws of the state relating to the registration, qualification, challenging and voting of electors at any election in any such county are conferred upon and made applicable to the county election commissioner.

Sec. 13. K.S.A. 2022 Supp. 19-3424 is hereby amended to read as follows: 19-3424. (a) The election commissioner, in the conduct of elections, shall operate under the general supervision of the secretary of state and shall comply with the statutes, rules and regulations and standards and directives that relate to the registration of voters and the conduct of elections. The election commissioner shall:

(1) Establish and fix the boundaries of wards and precincts within the county and in all cities the greater part of the population of which is located in the county. The commissioner shall accept and file nomination petitions and ~~declaration papers~~ declarations of intention of candidates and declarations of party affiliation;

(2) give notice by publication in the official county paper; and on the website of the county election office of any county where the election is to be conducted. Such notice shall be published at least 15 days ~~before the holding of~~ prior to any election, except as otherwise provided by law, ~~of and shall provide the time of holding~~ the election, ~~and~~ the officers at that time to be chosen; and any other matters to be voted upon;

(3) publish notice giving the proper party designation if required by law, the title of each office, the names and addresses of all persons seeking national and state offices ~~and~~, as certified to the county election officer by the secretary of state, and of all persons from whom nomination ~~papers~~ petitions or declarations of intention have been filed with the election officer, giving the name and address of each, the title to the office, the day of the election, the hours during which the polls will be open and the location of the voting place in each precinct or area, and mail to all persons whose nomination petitions or ~~declaration papers~~ declarations of intention are on file with the election officer; a copy of the first issue containing the publication notice;

(4) have charge of the printing of the ballots for all elections to which this act applies held within the county, or held within any city, school district, township or drainage district located in the county. The commissioner shall conduct negotiations for the letting of the contract to print ballots and shall let the contract, with the approval of the board of county commissioners; and

(5) be the clerk of the court for the trial of contested elections except national and state elections, and all intentions to contest any election shall be filed with the election commissioner.

(b) In the administration of the office of the election commissioner, any action taken by the election commissioner shall be subject to the following provisions established by the board of county commissioners applicable to all county departments, agencies and officials:

- (1) Personnel policies and procedures;
- (2) any pay plan, compensation plan and benefits for county employees;
- (3) purchasing policies and procedures;
- (4) budgeting policies and procedures;
- (5) financial policies and procedures; and
- (6) auditing policies and procedures.

(c) Each year, consistent with the county's budgeting procedures, the election commissioner shall submit to the board of county commissioners a requested budget for the office of the election commissioner showing the amount of funding deemed

necessary to pay the costs for salaries of the election commissioner, any deputy or assistant election commissioners; and other employees of the office, together with the projected costs and expenses of the office for the next ensuing budget year. The board of county commissioners shall consider the request in the same manner as other departments and agencies of the county and shall approve and adopt a budget for the office of election commissioner within the county budget in an amount determined by the board of county commissioners to be sufficient and adequate for the performance of the duties of the office and the conduct of elections as required by law.

Sec. 14. K.S.A. 19-3439 is hereby amended to read as follows: 19-3439. Notwithstanding the provisions of any statute to the contrary, in any county ~~having a population of more than one hundred and forty thousand (140,000) and less than two hundred and twenty thousand (220,000), where an election commissioner has been appointed~~ all ward and precinct boundary lines shall be established and may be changed from time to time, exclusively by the election commissioner of any such county. No precinct shall be divided by a ward boundary line. Whenever the governing body of any city proposes to adopt an annexation ordinance, at least seven ~~(7)~~ days prior to such adoption, ~~it the governing body~~ shall notify the county election officer by transmitting a copy of the proposed ordinance to ~~him such officer~~, together with a statement of the date the proposed ordinance, if passed, will take effect in accordance with the provisions of K.S.A. 12-523, and amendments thereto. If the county election officer is of the opinion that the date such ordinance takes effect will materially interfere with any election, ~~he such officer~~ shall so certify, stating ~~his the~~ reasons therefor, to the governing body of such city and deliver a copy of such certificate to the secretary of state. Whenever any such certificate is filed with the governing body of a city and the secretary of state, the ordinance to which it applies shall not take effect until the day after the election with which it will interfere, and if such an ordinance will materially interfere with the primary ~~state-wide~~ statewide election in the opinion of the county election officer, such ordinance shall not take effect until the day after the ~~state-wide~~ statewide general election. In the event that the governing body of any city ~~which that~~ receives a certificate under this ~~act~~ section is aggrieved thereby because the reasons for the opinion of the county election officer are deemed incorrect or insufficient, such governing body may appeal the decision to the district court. In any such case the district court shall advance the appeal for immediate determination as the public interest may require. A copy of any such appeal shall be filed with the secretary of state at the time the appeal is made, and the secretary of state shall file a statement of position with respect to the matter in controversy with the district court.

Sec. 15. K.S.A. 25-105 is hereby amended to read as follows: 25-105. Except as otherwise provided by law, the county election officer shall cause notice of the time of the holding of any general election to be published once at least ~~15~~ 30 days before such election, ~~except in the case of special elections, when 10 days' notice shall be given.~~ Such notice shall be published in a paper or papers having circulation in such county. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 30 days prior to the election and shall remain on the website until the day after the election. Such notice shall state the date and times of such election, the name of each person nominated for any public office to be voted upon and any propositions to be voted upon. If such election is not held in conjunction with

another election for which notice of voting areas and polling places has been published, the notice required by this section shall also include such information. When the names to appear on general election ballots are definitely known and ~~no not~~ later than ~~25 50~~ days prior to any general election, the county election officer shall mail a copy of such notice to each person nominated for any public office, except candidates for president and vice president of the United States, and to judicial retention candidates.

Sec. 16. K.S.A. 25-203 is hereby amended to read as follows: 25-203. ~~(a) Except as otherwise provided in subsection (b),~~ The primary national, state, county and township election shall be held on the first Tuesday of August in even-numbered years for the nomination of all candidates to be voted for at the next following general election.

~~(b) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, the primary national, state, county and township election shall be held on August 25, 1992, for the nomination of all candidates to be voted for at the next following general election.~~

Sec. 17. K.S.A. 25-208a is hereby amended to read as follows: 25-208a. (a) Within 10 days, Saturdays, Sundays and holidays not included, from the date of the filing of nomination petitions or a declaration of intention to become a candidate for United States senator or representative or for state office, the secretary of state shall determine the validity of such petitions or declaration.

The secretary of state shall send a copy of all petitions to the county election officer of the county of the district in which the nomination petition was passed. The county election officer shall check the petitions only for valid signatures and certify the results of such check to the secretary of state within 10 days, including Saturdays, Sundays and holidays, of the date the petitions were filed with the secretary. The secretary of state upon receipt of the validated petition from the county election officer shall notify the candidate of the validity of the petition.

(b) Within three days from the date of the filing of nomination petitions or a declaration of intention to become a candidate for county or township office or for precinct committeeman or committeewoman, the county election officer shall determine the validity of such petitions or declaration. The county election officer shall verify the party affiliation of the candidate at the time a declaration of intention is filed to become a candidate for precinct committeeman or committeewoman.

(c) If any nomination petitions or declarations are found to be invalid, the secretary of state or the county election officer, as the case may be, shall notify the candidate on whose behalf the petitions or declaration was filed that such nomination petitions or declaration have been found to be invalid and the reason for the finding. Such candidate may make objection to the finding of invalidity by the secretary of state or the county election officer in accordance with K.S.A. 25-308, and amendments thereto.

Sec. 18. K.S.A. 25-211 is hereby amended to read as follows: 25-211. The county election officer shall, at least ~~two (2) weeks before~~ 50 days prior to the primary election, mail to each person whose name is to appear on the official ballot in such county, ~~to the address given in such papers,~~ a copy of the first issue of the county paper containing the names and addresses and to the chairpersons of the political parties of such county a list of those candidates whose names will be printed on the national, state, county and township primary election ballots, including the office, the candidate's name, the city

where the candidate resides and the candidate's political party, as such information will appear on the primary election ballot. The ~~chairman~~ chairperson of each political party shall or any candidate may, on or before the ~~eleventh~~ 45<sup>th</sup> day preceding such primary election, suggest to the county election officer any changes ~~that he may consider should be made in to~~ the ballot ~~applicable to his party~~, and, if upon examination the county election officer shall find any error or omission in ~~said such~~ ballot, ~~he the county election officer~~ shall correct the ballot and cause ~~the same such ballot~~ to be printed and distributed as required by law in the case of ballots for the national, state, county and township general election. The number of ballots of each party to be furnished to each precinct shall be adequate in the opinion of the county election officer.

Sec. 19. K.S.A. 25-213 is hereby amended to read as follows: 25-213. (a) At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

- (b) The official primary election ballots shall have the following heading:  
OFFICIAL PRIMARY ELECTION BALLOT

\_\_\_\_\_ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space, if any is provided, and make a cross or check mark in the square to the left.

The words national and state or the words county and township shall appear on the line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from \_\_\_\_\_ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator \_\_\_\_\_ district, representative \_\_\_\_\_ district, district judge \_\_\_\_\_ district, district magistrate judge \_\_\_\_\_ district, district attorney \_\_\_\_\_ judicial district, and member state board of education \_\_\_\_\_ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner \_\_\_\_\_ district, county clerk, treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, township clerk. When any office is not to be elected, it shall be omitted from the ballot. Other offices to be elected but not listed, shall be inserted in the proper places. For each office there shall be a statement of the number to vote for.

To the left of each name there shall be printed a square. Official primary election ballots may be printed in one or more columns. The names certified by the secretary of state or county election officer shall be printed on official primary election ballots and no others. In case there are no nomination petitions or declarations on file for any particular office, the title to the office shall be printed on the ballot followed by a blank line with a square, and such title, followed by a blank line, may be printed in the list of candidates published in the official paper. No blank line shall be printed following any

office where there are nomination petitions or declarations on file for the office except following the offices of precinct committeeman and precinct committeewoman.

(c) Except as otherwise provided in this section, no person's name shall be printed more than once on either the official primary election ballot for national and state offices or the official primary election ballot for county and township offices. No name that is printed on the official primary election ballot as a candidate of a political party shall be printed or written in as a candidate for any office on the official primary election ballot of any other political party. If a person is a candidate for the unexpired term for an office, the person's name may be printed on the same ballot as a candidate for the next regular term for such office. The name of any candidate on the ballot may be printed on the same ballot as such candidate and also as a candidate for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for national and state offices shall be printed or written in elsewhere on the ballot or on the official primary election ballot for county and township offices except for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for county and township offices shall be printed or written in on the official primary election ballot for national and state offices or elsewhere on the county and township ballot except for precinct committeeman or committeewoman.

(d) No person shall be elected to the office of precinct committeeman or precinct committeewoman where no nomination petitions or declarations have been filed, unless the person receives at least five write-in votes, resides in such precinct, is a qualified elector and is a member of such party as shown by the party affiliation list maintained in the county election office. As a result of a primary election, no person shall receive the nomination and no person's name shall be printed on the official general election ballot when no nomination petitions or declarations were filed, unless the person receives votes equal in number to not less than 5% of the total of the current voter registration designated in the state, county or district in which the office is sought, as compiled by the office of the secretary of state, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

(e) The secretary of state by rules and regulations shall develop the official ballot for municipal elections in odd-numbered year elections.

(f) A person who won the primary election as a result of the person's name being written in on the primary ballot shall have such person's name printed on the official general election ballot for national, state, county, township or municipal office, unless the person notifies, in writing, the secretary of state for national or state office or the county election office for all other offices within 10 days following the canvass of the primary election that the person does not want such person's name on the official general election ballot.

Sec. 20. K.S.A. 25-303 is hereby amended to read as follows: 25-303. (a) This section shall not apply to city and school elections, nor to election of other officers provided by law to be elected in ~~April~~ odd-numbered years.

(b) All nominations other than party nominations shall be independent nominations. No person who has declared and retains a party affiliation in accordance with K.S.A. 25-3301, and amendments thereto, shall be eligible to accept an

independent nomination for any office.

(c) Independent nominations of candidates for any office to be filled by the voters of the state at large may be made by nomination petitions signed by not less than 5,000 qualified voters for each candidate and in the case of governor and lieutenant governor for each pair of such candidates.

(d) Independent nominations of candidates for offices to be filled by the voters of a county, district or other division less than a state may be made by nomination petitions signed by voters equal in number to not less than 4% of the current total of qualified voters of such county, district or other division as compiled by the office of the secretary of state in the case of state offices and as compiled in the office of the county election officer and certified to the secretary of state in accordance with K.S.A. 25-2311, and amendments thereto, in the case of local offices, and in no case to be signed by less than 25 nor more than 5,000 qualified voters of such county, district or division, for each candidate.

(e) Independent nominations of candidates for offices to be filled by the voters of a township may be made by nomination papers signed by not less than 5% of the current total of qualified voters of such township, computed as above provided, for each candidate, and in no case to be signed by less than 10 such voters of such township for each candidate.

(f) The signatures to such nomination petitions need not all be appended to one paper, but each registered voter signing an independent certificate of nomination shall add to the signature such petitioner's place of residence and post office address. All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit of the candidate or a petition circulator shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator or candidate, a verification, signed by the circulator or candidate, to the effect that such circulator or candidate personally witnessed the signing of the petition by each person whose name appears thereon.

(g) No such nomination ~~paper~~ petition shall contain the name of a candidate for governor without in the same such ~~paper~~ petition containing the name of a candidate for lieutenant governor, and if it does it shall be void.

(h) No person shall join in nominating more than one person for the same office, and if this is done, the name of such petitioner shall not be counted on any certificate.

(i) Within 20 days after receipt of an independent nominating petition, but not later than the date of the meeting of the state board of canvassers in accordance with K.S.A. 25-3205, and amendments thereto, the secretary of state shall determine the validity of such independent nominating petition. If any independent nomination petitions are found to be invalid, the secretary of state shall notify the candidate on whose behalf the independent nomination petitions were filed that such nomination petitions have been found to be invalid and the reason for such finding of invalidity. Such candidate may make objection to the finding of invalidity by the secretary of state in accordance with K.S.A. 25-308, and amendments thereto.

Sec. 21. K.S.A. 25-308 is hereby amended to read as follows: 25-308. (a) Any certificate of nomination, nomination petitions or declaration of intention to become a candidate, filed or issued in apparent conformity with law, shall be deemed to be valid unless:

(1) An objection ~~thereto~~ is made in writing within three days from the date the

certificate, petitions or declaration is filed with or issued by the proper officers; or

(2) in the case of certificates of nomination, nomination petitions and declarations of intention to become a candidate, the secretary of state or the county election officer finds them to be invalid pursuant to K.S.A. 25-208a, and amendments thereto.

(b) If the secretary of state or the county election officer finds any certificates of nomination, nomination petitions or declaration of intention to become a candidate to be invalid pursuant to K.S.A. 25-208a, and amendments thereto, the candidate on whose behalf the certificates, petitions or declaration was filed may make objection to such finding in writing within three days of receipt by the candidate of notice of such finding.

(c) In the case of nominations of national and state officers, objections shall be filed with the secretary of state and shall be considered by the lieutenant governor, secretary of state; and attorney general, or such officer's designee, and a decision of a majority of these officers, or such officers' designees, shall be final. In the case of nominations for county, township, city and school officers, objections shall be filed with the county election officer and shall be considered by the county election officer, county attorney or district attorney and an elected official of the county whose position is not involved in the controversy, who shall be designated by the county election officer. The decision of a majority of these officers shall be final.

(d) In any case where objection is made, notice shall be given immediately, by the officer with whom the objections are filed, to the other officers required to determine the matter and to the candidates affected by such objection, addressed in the case of candidates to their places of residence as given in the nomination petitions, declaration of intention to become a candidate or certificate of nomination. The notice shall state the time when the objection will be considered. Such time shall not be more than five days following the giving of such notice in the case of nomination of a national or state officer and not be more than three days following the giving of such notice in the case of nomination of a county, township, city or school officer, and the place where such objections will be considered.

(e) The causes for objection under this section as to any office may be any of those causes listed in K.S.A. 25-1436, and amendments thereto. The officers determining any objections under this section may assess any costs arising from such determination to either the objector or objectee in accordance with the determination made. Such costs shall be paid to the secretary of state or the county election officer, as the case may be, and deposited in the treasury of the state or county to the credit of its general fund. If such costs are not paid within 10 days after being fixed, the secretary of state or county election officer shall make a certificate of the facts and file it with the clerk of the district court in the county where the person resides who must pay such costs. Such clerk of the district court shall collect such costs as in cases of collection of court costs, and when collected such costs shall be disposed of as are court costs in such district court.

(f) All mandamus proceedings to compel an officer to certify and place upon the ballot any name or names, and all injunction proceedings to restrain an officer from certifying and placing upon the ballot any name or names, must be commenced not less than ~~45~~ 60 days before the election.

Sec. 22. K.S.A. 25-321 is hereby amended to read as follows: 25-321. A person appointed to the office of state representative under the provisions of this act may hold

the office for the remainder of the term. Any person appointed to the office of senator under the provisions of this act may hold the office: (a) If the vacancy occurs prior to May 1 of the second year of the term, until the next general election, when a senator shall be elected to fill the term; or (b) if such vacancy occurs ~~after~~ on or after May 1 of the second year of the term, for the remainder of the term. In cases where the appointment of a senator is until the next general election, nomination and election of such successor shall be in the same manner as nomination and election of a senator for a regular term.

Sec. 23. K.S.A. 25-432 is hereby amended to read as follows: 25-432. An election shall not be conducted under this act unless:

(a) Conducted on a date, mutually agreed upon by the governing body of the political or taxing subdivision and the county election officer, not later than 120 days following the date the request is submitted by the political or taxing subdivision;

(b) the secretary of state approves a written plan for conduct of the election, ~~which shall include~~ including, but not limited to, a written timetable for the conduct of the election, submitted by the county election officer;

(c) the election is nonpartisan;

(d) the election is not one at which any candidate is elected, retained or recalled;

(e) the election is not held on the same date as another election in which the qualified electors of that subdivision of government are eligible to cast ballots, except this restriction shall not apply to mail ballot elections held under K.S.A. 79-2925c, and amendments thereto; and

(f) the election is a question submitted election at which all of the qualified electors of one of the following subdivisions of government are the only electors eligible to vote:

(1) Counties;

(2) cities;

(3) school districts, except in an election held pursuant to K.S.A. 72-635 et seq., and amendments thereto;

(4) townships;

(5) benefit districts organized under K.S.A. 31-301, and amendments thereto;

(6) cemetery districts organized under K.S.A. 15-1013 or 17-1330, and amendments thereto;

~~(7) combined sewer districts organized under K.S.A. 19-27,169, and amendments thereto;~~

~~(8) community college districts organized under K.S.A. 71-1101 et seq., and amendments thereto;~~

~~(9)~~ (8) fire districts organized under K.S.A. 19-3601 or 80-1512, and amendments thereto;

~~(10)~~ (9) hospital districts;

~~(11)~~ (10) improvement districts organized under K.S.A. 19-2753, and amendments thereto;

~~(12)~~ (11) Johnson county park and recreation district organized under K.S.A. 19-2859, and amendments thereto;

~~(13) sewage disposal districts organized under K.S.A. 19-27,140, and amendments thereto;~~

~~(14)~~ (12) water districts organized under K.S.A. 19-3501 et seq., and amendments

thereto;

~~(15)~~(13) transportation development districts created pursuant to K.S.A. 2022 Supp. 12-17,140 et seq., and amendments thereto; or

~~(16)~~(14) any tract of land annexed pursuant to K.S.A. 12-521, and amendments thereto.

Sec. 24. K.S.A. 25-433 is hereby amended to read as follows: 25-433. (a) The county election officer shall mail all official ballots with a return identification envelope and instructions sufficient to describe the voting process to each elector entitled to vote in the election on one date not sooner than the 20<sup>th</sup> day before the date of the election and not later than the 10<sup>th</sup> day before the date of the election. Ballots mailed by the county election officer shall be addressed to the address of each elector appearing in the registration records, and placed in an envelope ~~which that~~ is prominently marked "Do Not Forward." Ballots shall not be mailed to any inactive voter who, based on information provided by the postal service, appears to have moved to a residence address outside the county in which the voter is currently registered and who has been mailed a confirmation notice as described in ~~subparagraph (4) of subsection (c) of~~ K.S.A. 25-2316c~~(e)~~(4), and amendments thereto, or because a "Forwarding Order Expired" or "Moved — No Forwarding Address" notice was received from the post office. Any inactive voter who believes such voter is entitled to vote in the election may request a replacement ballot as provided for in subsection (d) of this section.

(b) Upon receipt of the ballot the elector shall mark it, sign the return identification envelope supplied with the ballot and comply with the instructions provided with the ballot. The elector may return the marked ballot to the county election officer by United States mail, if it is received by the county election officer by the date of the election, or personally deliver the ballot to the office of the county election officer before noon on the date of the election. The ballot shall be returned in the return identification envelope. The county election officer shall provide for the payment of postage for the return of ballot envelopes.

(c) The return identification envelope shall contain the following form:

I declare under penalty of election perjury, a felony, that I am a resident and a qualified voter for this election as shown on voter registration records and that I have voted the enclosed ballot and am returning it in compliance with Kansas law, and amendments thereto, and have not and will not vote more than one ballot in this election.

I also understand that failure to complete the information below will invalidate my ballot.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Residence Address

(d) If the ballot is destroyed, spoiled, lost or not received by the elector, the elector may obtain a replacement ballot from the county election officer as provided in this subsection. An elector seeking a replacement ballot shall sign a statement verified on oath or affirmation, on a form prescribed by the secretary of state, that the ballot was destroyed, spoiled, lost or not received. The applicant shall deliver the statement to the county election officer before noon on the date of the election. The applicant may mail the statement to the county election officer, except a county election officer shall not

transmit a ballot by mail under this subsection unless the application is received prior to the close of business on the second day prior to the election. When an application is timely received under this subsection, the county election officer shall deliver the ballot to the voter if the voter is present in the office of the county election officer, or promptly transmit the ballot by mail to the voter at the address contained in the application, except when prohibited in this subsection. The county election officer shall keep a record of each replacement ballot provided under this subsection.

(e) A ballot shall be counted only if: (1) It is returned in the return identification envelope; (2) the envelope is signed by the elector to whom the ballot is issued; and (3) the signature has been verified as provided in this subsection. The county election officer shall verify the signature of each elector on the return identification envelope with the signature on the elector's registration records and may commence verification at any time prior to the canvass of the election. The county election office shall attempt to contact each person who submits a mail ballot if there is no signature or the signature does not match with the signature on file and allow such elector the opportunity to correct the deficiency before the commencement of the county canvass. Verification of the voter's signature shall not be required if the voter has a disability preventing the voter from signing the ballot or preventing the voter from having a signature consistent with such voter's registration form. Signature verification may occur by electronic device or human inspection. If the county election officer determines that an elector to whom a replacement ballot has been issued under subsection (d) has voted more than once, the county election officer shall not count any ballot cast by that elector.

(f) The county election officer shall supervise the procedures for the handling and canvassing of ballots to insure the safety and confidentiality of all ballots properly cast.

(g) The names of voters whose mail ballot envelopes are returned to the county election officer as "undeliverable" shall be subject to removal from the voter registration book and party affiliation list in the manner provided in ~~subsection (d)~~ of K.S.A. 25-2316c(d), and amendments thereto.

Sec. 25. K.S.A. 25-604 is hereby amended to read as follows: 25-604. (a) ~~Except as otherwise provided in subsection (b),~~ The county election officers shall have charge of the printing of the ballots for all elections, primary, special and general.

~~(b) The secretary of state may provide for the printing of all or any portion of the ballots for a presidential preference primary election. The secretary of state shall determine, with the advice of the director of printing, the most efficient manner in which to print ballots for a presidential preference primary election for any county in the state of Kansas.~~

~~(e)~~—Nothing in this subsection shall apply to the printing of ballot labels for use on voting machines.

~~(c)~~ The ballots shall be printed on paper of sufficient strength as not to be punctured by ordinary pencil marking. Ballots shall be put in the possession of the county election officer at least five days before the election, accompanied by sufficient number, not to exceed 50 for each precinct or area, of exact copies of such ballots, printed on paper of any color, except white, as authorized by rules and regulations adopted by the secretary of state, for the inspection of candidates and ~~their~~ agents of the candidates and for distribution through each of the party organizations. If any mistakes are discovered they shall be corrected without delay. County election officers may also obtain and distribute ballots or lists of candidates and other questions to be voted upon

on paper of any color authorized by rules and regulations adopted by the secretary of state stamped "SAMPLE BALLOT" in large letters, and these ballots, lists of candidates and other questions to be voted upon shall be used for educational purposes and the distribution shall be for such purpose. The county election officers shall cause to be delivered to the supervising judges, not less than 12 hours before the time fixed by law for the opening of the polls, a number of properly printed ballots fully sufficient to meet the demands and needs of all the voters. Such ballots shall be put in separate sealed packages of 25, 50 or 100 ballots each, with marks on the outside clearly designating the voting place for which they are intended and the number of ballots enclosed. The county election officer shall retain at the county election office an additional supply of ballots to meet any emergency need for such ballots that might arise from loss or destruction of ballots, enlarged vote or any other legitimate cause. The county election officer may make a charge for all sample ballots, lists and materials distributed in an amount not to exceed the actual cost of the materials, printing and the distribution thereof.

Sec. 26. K.S.A. 25-901 is hereby amended to read as follows: 25-901. (a) Every committee, club, organization, municipality or association designed to promote or engaged in promoting the success or defeat of any party or the election or defeat of any candidate or candidates for any city of the second and third class, unified school district, except unified school districts having 35,000 or more ~~pupils~~ students regularly enrolled in the preceding school year, any community college or township office; or the adoption or defeat of any question submitted at any city, unified school district, community college, township or county election, shall have a treasurer, and shall cause to be kept a detailed account of all moneys or property or other thing of value received by it, and of the manner in which the same shall be expended; ~~and. Such committee, club, organization, municipality or association~~ shall file annually with the county election officer of the county in which such committee, club, organization, municipality or association has its headquarters a statement of all its receipts and expenditures, showing in detail from whom such moneys or property or other thing of value were received, to whom such moneys or property or other thing of value were paid, for what specific purposes each payment was made, and the exact nature of the service rendered in consideration thereof.

(b) The annual statement ~~herein required~~ shall be filed on or before December 31; ~~such statement and~~ shall cover the period ending on December 1 immediately preceding. ~~The accounts of the state committee of each political party shall be audited annually by a certified public accountant and a copy of the audit filed with the secretary of state.~~

(c) This section and K.S.A. 25-905, and amendments thereto, shall not be construed to require any committee, club, organization, municipality or association ~~which that~~ is subject to the campaign finance act ~~(, K.S.A. 25-4101 et seq.)~~, and amendments thereto, to file reports required by this act.

Sec. 27. K.S.A. 25-1115 is hereby amended to read as follows: 25-1115. (a) "General election" means the elections held on the Tuesday following the first Monday in November of both even-numbered and odd-numbered years, and in the case of ~~special elections~~ an election of any officers to fill vacancies held on a date other than the Tuesday following the first Monday in November, the election at which any such officer is finally elected.

(b) "Primary election" means the elections held on the first Tuesday in August of both even-numbered and odd-numbered years; and any other preliminary election held on a date other than the first Tuesday in August at which part of the candidates for ~~special~~ election to any national, state, county, city, school or other municipal office are eliminated by the process of the election but at which no officer is finally elected.

(c) "Special election" means any election that is not a general or primary election, including, but not limited to, any mail ballot election conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto. A special election shall not be held within 45 days of a general or primary election but may be held on the same day as a general or primary election.

Sec. 28. K.S.A. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where ~~the~~ such person is a resident, or where ~~the~~ such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, the voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, the voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

- (1) The voter is unable or refuses to provide current and valid identification; or
- (2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

- (1) The county election official verifies that the signature of the person matches that on file in the county voter registration records, except that verification of the voter's signature shall not be required if a voter has a disability preventing the voter from signing. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide the person's signature for the purposes of verifying the person's identity. If the county election officer is

unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of the person cannot be verified by the county election officer, the county election officer shall provide information to the person regarding the voter rights provisions of subsection (d) and shall provide the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and the Tuesday of the week preceding such primary election.

(2) For the general election occurring on the Tuesday following the first Monday in November in both even-numbered and odd-numbered years, between 90 days prior to such election and the Tuesday of the week preceding such general election.

(3) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(4) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the Tuesday of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the final date for mailing of advance voting ballots shall be one week before such election.

(5) For any special election of officers, at such time as is specified by the secretary of state.

The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) Unless an earlier date is designated by the county election officer, applications for advance voting ballots transmitted to the voter in person ~~in the office of the county election officer~~ shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a

person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness that has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information that establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which the persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of the applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make the inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by the officer stating the person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in four consecutive general elections ~~held on the Tuesday succeeding the first Monday in November of each even-numbered and odd-numbered year,~~ the county election officer may mail a notice to such voter. The notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained

therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: "Disclosure: This is not a government mailing. It is from a private individual or organization."

(2) The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

(3) An application for an advance voting ballot shall include an envelope addressed to the appropriate county election office for the mailing of such application. In no case shall the person who mails the application to the voter direct that the completed application be returned to such person.

(4) The provisions of this subsection shall not apply to:

(A) The secretary of state or any election official or county election office; or

(B) the official protection and advocacy for voting access agency for this state as designated pursuant to the federal help America vote act of 2002, public law 107-252, or any other entity required to provide information concerning elections and voting procedures by federal law.

(5) A violation of this subsection is a class C nonperson misdemeanor.

(1) (1) No person shall mail or cause to be mailed an application for an advance voting ballot, unless such person is a resident of this state or is otherwise domiciled in this state.

(2) Any individual may file a complaint in writing with the attorney general alleging a violation of this subsection. Such complaint shall include the name of the person alleged to have violated this subsection and any other information as required by the attorney general. Upon receipt of a complaint, the attorney general shall investigate and may file an action against any person found to have violated this subsection.

(3) Any person who violates the provisions of this subsection is subject to a civil penalty of \$20. Each instance in which a person mails an application for an advance voting ballot in violation of this section shall constitute a separate violation.

(m) A county election officer shall not mail a ballot to a voter unless such voter has submitted an application for an advance voting ballot, except that a ballot may be mailed to a voter if such voter has permanent advance voting ballot status pursuant to subsection (h) or if the election is conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.

(n) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 29. K.S.A. 25-1214 is hereby amended to read as follows: 25-1214. As used in this act: (a) "Federal act" means the uniformed and overseas citizens absentee voting act (42 U.S.C. § 1973ff et seq.), 52 U.S.C. § 20301 et seq.

(b)(1) "Persons in federal services" means:

~~(A)~~ Members of the armed forces of the United States, while in the active

service, and their spouses and dependents;

~~(B)~~ members of the merchant marine of the United States and their spouses and dependents; and

~~(C)~~ citizens of the United States residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them.

(2) Persons in federal service does not include any person who has failed to respond to a selective service call as certified by the local draft board to the county election officer or who is a deserter from any United States military service.

Sec. 30. K.S.A. 25-1903 is hereby amended to read as follows: 25-1903. (a) A person may become a candidate for election to the office of state board member by either one of the methods provided in this section.

(1) Any person who is an elector of any board member district may petition to be a candidate for member of the state board from the board member district in which such person resides. Any such person shall file with the secretary of state a petition for the candidacy of such person signed by not less than 200 electors residing in such board member district.

(2) Any person who is an elector of any board member district may become a candidate for member of the state board from the board member district in which such candidate resides by filing in the office of the secretary of state a declaration of intent to be such a candidate and payment of a filing fee in the amount of \$25.

(b) Any such petition or declaration of ~~intent~~ intention filed by a candidate to run in the primary election held in accordance with K.S.A. 25-203, and amendments thereto, shall be filed no later than 12:00 noon, June ~~10~~ 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday. Any such petition or declaration of ~~intent~~ intention filed by an independent candidate for the office of state board member shall be filed no later than 12:00 noon on the Monday preceding the date fixed for the holding of primary elections in accordance with K.S.A. 25-203, and amendments thereto.

Sec. 31. K.S.A. 25-2005 is hereby amended to read as follows: 25-2005. (a) "School district" means all of a school district or all of its territory.

(b) ~~"Plan of change" means a specific proposal to change the voting plan or the method of election, or both, in a school district.~~

~~(c)~~ "Voting plan" means one of the three voting plans described in this act. "Voting plan-A" is election at large in both primary and general elections. "Voting plan-B" is voting by a district method in the primary and by election at large in the general election. "Voting plan-C" is voting by a district method in both the primary and general elections.

Sec. 32. K.S.A. 25-2008 is hereby amended to read as follows: 25-2008. (a) "School office" or "school officer" means members of the governing body of any school district.

(b) "State board" means ~~the state superintendent of public instruction until that office is abolished and thereafter the constitutional~~ state board of education.

Sec. 33. K.S.A. 25-2018 is hereby amended to read as follows: 25-2018. (a) Notices of board member elections and question submitted elections of a school district shall be made as provided in this section.

(b) On or before June 10 of odd-numbered years, the county election officer shall publish a notice of election one time in a newspaper having general circulation in the school district. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall remain on the website until the day after the election. The notice for board member elections shall state: (1) The name of the school district; (2) the date of the general election; (3) the date of the primary election if one is held; (4) the filing deadline and the place of filing; and (5) the offices or positions to be filled.

(c) All notices provided for by this section shall be given in the form prescribed by the secretary of state to the extent that any notice or part thereof is prescribed by the secretary of state. The provisions of this section shall not be construed to require the secretary of state to prescribe any particular form.

(d) On or before June 10 of each odd-numbered year, a notice of primary elections shall be published by the county election officer one time in a newspaper having general circulation in the school district, if a primary election is required to be held. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall remain on the website until the day after the election. ~~The publication shall be made one time and~~ notice shall state: (1) The name of the school district; (2) the date of the primary election; (3) the names of the candidates and the office or position for which each is a candidate; (4) the voting place or places and the area each voting place is to serve; and (5) the times of opening and closing of the polls. Description of areas shall be in the terms determined by the county election officer.

(e) On or before September 1 of each odd-numbered year, a notice of the general election shall be published by the county election officer one time in a newspaper having general circulation in the school district. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and shall remain on the website until the day after the election. The notice shall state: (1) The name of the school district; (2) the date of the general election; (3) the names of the candidates and the office or position for which each is a candidate; (4) the voting place or places and the area each voting place is to serve; and (5) the time of opening and closing of polls. Description of areas shall be in such terms as may be determined by the county election officer.

(f) Notice of any question submitted election of any school district shall be made in the manner provided by K.S.A. 10-120, and amendments thereto. The notice shall state: (1) the name of the school district; (2) the date of the election; (3) the amount of bonds to be issued, if a bond election; (4) the proposition to be voted upon; (5) the hours of opening and closing of the polls; (6) the voting place or places and the area each voting place is to serve; and (7) any other information specifically required by law. Description of areas shall be in the terms determined by the county election officer.

Sec. 34. K.S.A. 25-2021 is hereby amended to read as follows: 25-2021. (a) In school districts in which a member district method of election is in effect, if there are more than three qualified candidates for any member position in any member district, the county election officer shall call, and there shall be held, a primary election in each such member district. The names of the two candidates receiving the greatest number of votes for any member position at the primary election shall appear on the ballots in the

general election. If there are three or fewer qualified candidates for any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(b) In school districts in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are board members to be elected, the county election officer shall call, and there shall be held, a primary election. The names of twice the number of candidates as there are board members to be elected who received the greatest number of votes at the primary election shall appear on the ballots in the general election. If there are not more than three times the number of candidates as there are board members to be elected, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(c) If a member is to be elected to fill an unexpired term, the office shall be listed separately on the ballots. If there are more than three candidates for such unexpired term, the county election officer shall call, and there shall be held, a primary election. The names of the two candidates for such unexpired term receiving the greatest number of votes shall appear on the ballots in the general election. If there are three or fewer qualified candidates for the unexpired term of any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(d) On the ballots in general school elections, blank lines for the names of write-in candidates shall be printed at the end of the list of candidates for each different office. The number of blank lines for such elected office shall be equal to the number to be elected thereto. The purpose of such blank lines shall be to permit the voter to insert the name of any person not printed on the ballot who is a qualified elector residing in the district for whom such voter desires to vote for such office. No lines for write-in candidates shall appear on primary school election ballots.

Sec. 35. K.S.A. 25-21a02 is hereby amended to read as follows: 25-21a02. ~~(a) The secretary of state shall develop a public information program to inform the public generally of changes made as a result of moving spring elections to fall elections. Such public information program shall include, at a minimum, the explanation of which public office elections are being transferred from spring to fall elections. The program shall include the use of advertisements and public service announcements as well as posting of information on the opening pages of the official internet websites of the secretary of state and county election officers. The secretary of state and county election officers shall develop dedicated websites to provide voter education and sample ballots for elections.~~

~~(b)~~—The county election officers in consultation with the secretary of state shall develop ways to reduce the ballot length and expedite the voting process on election days.

Sec. 36. K.S.A. 25-2310 is hereby amended to read as follows: 25-2310. County election officers shall ~~cause publication,~~ publish notice of places and dates for registration and the closing thereof before each election in a newspaper having general circulation in the county of the county election officer, ~~of a notice of places and dates for registration and the closing thereof before each election.~~ Such notice shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall remain on the website until the day after the

registration closes. Such notice also shall give information for registration by mail. Such notice shall be given in such form and at such time or times as is specified by rules and regulations of the secretary of state.

Sec. 37. K.S.A. 25-2502 is hereby amended to read as follows: 25-2502. (a) "General election" means the elections held on the Tuesday following the first Monday in November of both even-numbered and odd-numbered years, and in the case of ~~special elections~~ an election of any officers to fill vacancies held on a date other than the Tuesday following the first Monday in November, the election at which any such officer is finally elected.

(b) "Primary election" means the elections held on the first Tuesday in August of both even-numbered and odd-numbered years; and any other preliminary election held on a date other than the first Tuesday in August at which part of the candidates for ~~special~~ election to any national, state, county, township, city, school or other municipal office are eliminated by the process of the election but at which no officer is finally elected.

(c) "Special election" means any election that is not a general or primary election, including, but not limited to, any mail ballot election conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto. A special election shall not be held within 45 days of a general or primary election but may be held on the same day as a general or primary election.

Sec. 38. K.S.A. 25-2507 is hereby amended to read as follows: 25-2507. (a) "Poll book" means a book in which each voter may sign the voter's signature and a number is assigned by one of the clerks of the election board when the voter is given a ballot or set of ballots. If the county election officer determines that voters shall sign the poll book, such book shall also contain on each page the declaration prescribed by subsection (d).

(b) "Registration book" means:

(1) A book or list containing the names and other information relating to registered voters. Registration books shall have the names entered therein before the same or copies thereof are delivered to the supervising judges. Registration books may also contain blank lines on which each voter shall sign the voter's signature. If the county election officer determines that voters shall sign the registration book, such book shall also contain on each page the declaration prescribed by subsection (d); or

(2) a book meeting the requirements of ~~K.S.A. 25-2507(b)(1), and amendments thereto;~~ paragraph (1), and containing:

(A) ~~Blank lines on which each voter shall sign the voter's signature; containing on each page~~

(B) the declaration prescribed by subsection (d) on each page of the book; and containing

(C) the numbers assigned by one of the clerks of the election board when voters are given ballots or sets of ballots.

(c) "Party affiliation lists" means a list containing the names of all registered voters of a county who have lawfully designated a party affiliation.

(d) "Declaration" means the following: "I, the undersigned, declare under penalty of perjury that I am a registered voter in the state of Kansas, county of \_\_\_\_\_, that I have not signed a name other than my own in order to represent myself as any other registered voter, and that I am qualified to vote and have not previously voted and will not vote again in the election held on this date, in this or any other jurisdiction in the

United States, for any offices or ballot issues."

(c) "Abstract" means a list of election results for a particular precinct or district with the total votes for each candidate for elected office or the total votes for and against any constitutional amendment or question presented on the ballot.

Sec. 39. K.S.A. 25-26a03 is hereby amended to read as follows: 25-26a03. (a) Notwithstanding any other law or provisions to the contrary, no election precinct shall be created, divided, abolished or consolidated or the boundaries thereof changed;

(1) During the period four months prior to each primary election and the succeeding general election; or

(2) between January 1 of a year the last digit of which is ~~8~~ and ~~December 1~~ of a year the last digit of which is 0, and from and after January 1, 1993, between January 1 of a year the last digit of which is 7 and the time when the legislature has been redistricted in a year the last digit of which is 2, except in the following cases:

~~(a)~~ (1) (A) If required by the creation of a political subdivision, new precincts may be created.

~~(2)~~ (B) If there is an alteration of a political subdivision by annexation, new precincts may be created.

~~(3)~~ (C) If a political subdivision annexes an area adjacent to the political subdivision boundary, the annexed area may be included in a precinct immediately adjacent to it, if the annexed area is in the same legislative district.

~~(4)~~ (D) A municipality or county election officer may establish new election precincts lying entirely within the boundaries of any existing precinct and shall designate the new precincts by name or number, or a combination of name and number, which shall include including the designated name or number of the former precinct.

~~(5)~~ (E) If required to conform and coincide with a federal census block boundary established by the federal bureau of the census, a county election officer may change precinct boundaries.

(b) When necessary to comply with the provisions of this act, not less than 45 days after the legislature has been redistricted, or by June ~~10~~ 1 in a year the last digit of which is 2 (whichever occurs first), precinct boundaries shall be reestablished.

Sec. 40. K.S.A. 25-2702 is hereby amended to read as follows: 25-2702. The county election officer may establish more than one precinct in any township or divide any township into precincts. Such division shall be made by a declaration made at least ~~ninety~~ (90) days before any county or state primary or general election, ~~and~~ Notice of such division, showing the boundaries of each precinct, shall be published once each week for three ~~(3)~~ consecutive weeks in a newspaper of general circulation in the county in which such township is located. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. A division once made shall remain the same until changed by subsequent declaration and publication notice as herein required. Upon making such division into precincts, the county election officer shall designate the boundaries of each precinct. A voter shall not be eligible to vote at any national, state, county or township election in any voting area other than the one in which ~~he or she~~ such voter resides.

Sec. 41. K.S.A. 25-2704 is hereby amended to read as follows: 25-2704. (a) The county election officer shall provide ballot boxes for each voting place. The secretary of state may adopt rules and regulations authorizing, in certain cases, additional or fewer ballot boxes than specified in subsection (b) ~~of this section~~ to be supplied.

(b) Unless otherwise provided by rules and regulations adopted ~~under this section~~ by the secretary of state, a separate ballot box shall be provided for each of the types of ballots named in the following list, if such ballots are to be voted at the election:

- (1) A box for "national and state ballots";
- (2) a box for "county and township ballots";
- (3) a box for "judicial ballots";
- (4) a box for "city ballots";
- (5) a box for "school ballots";
- (6) a box for "ballots for constitutional amendments"; and
- (7) a box for "questions submitted."

(c) Each ballot box shall be labeled according to its appropriate designation as set out in ~~quotation marks in subsection (b) of this section~~.

(d) The provisions of this section shall only apply to elections conducted in counties that do not use tabulators or optical scanners to count votes.

Sec. 42. K.S.A. 25-2705 is hereby amended to read as follows: 25-2705. (a) At the time ~~that the a~~ voting place is opened, the supervising judge shall cause the ballot boxes to be opened in the presence of people there assembled. The ballot boxes shall be turned upside down so as to empty ~~them such boxes~~ of everything therein, ~~and the same~~. Each ballot box shall then be locked securely and shall not be opened again until opened for the purpose of canvassing.

(b) The provisions of this section shall only apply to elections conducted in counties that do not use tabulators or optical scanners to count votes.

Sec. 43. K.S.A. 25-2706 is hereby amended to read as follows: 25-2706. (a) The county election officer shall prepare and furnish copies of all registrations and all books, maps, instructions and blanks needed for the use and guidance of election boards and voters. County election officers may adopt such rules and regulations for elections as may be needed and not in conflict with state law or rules and regulations. Such rules and regulations shall be submitted to the secretary of state for approval.

(b) The county election officer shall furnish printed instructions to election boards, ~~defining their~~ duties of such officers and the law governing elections.

(c) (1) The county election officer shall furnish and publish on the website of the county election office:

- (A) Printed instructions to voters;
- (B) a list of voters' rights and responsibilities;
- (C) a sample ballot;
- (D) notification of the date of the election; and
- (E) the polling place hours.

(2) Each of the items in paragraph (1) shall be posted in every voting place at every election.

(3) Wherever the secretary of state deems it advisable, all items listed in ~~subsection (e) paragraph (1)~~ shall be printed in English and in a language or languages other than English.

(d) The secretary of state shall specify the form and contents of instructions to voters, list of voters' rights and responsibilities and instructions to election boards. Such specifications shall be transmitted to county election officers and may be changed from time to time by the secretary of state.

Sec. 44. K.S.A. 25-2805 is hereby amended to read as follows: 25-2805. If any

judges or clerks shall fail or refuse to appear and serve at the proper time and place, or for any cause are or become disqualified, then the electors present shall promptly notify the county election officer thereof. The county election officer shall appoint such person as he such officer may select to fill any such vacancy. ~~If such a vacancy continues for more than one hour after notice to the county election officer, the electors present may select from their number, viva voce, judges and clerks to fill such vacancies.~~

Sec. 45. K.S.A. 25-2812 is hereby amended to read as follows: 25-2812. ~~From and after January 1, 2010:~~ (a) Not less than 60 days before any election, the county election officer may contact the administrator or operator at each nursing facility, assisted living facility and ~~hospital-based~~ hospital-based long-term care unit to request that the registered voters in ~~the such~~ facility be offered the opportunity to vote in such election according to the procedures outlined in this section. If the administrator or operator of the facility agrees, the county election officer and the administrator or operator shall establish a date, mutually agreed upon, for such voting to take place. The provisions of this section shall not apply to mail ballot elections conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto.

(b) The county election officer shall appoint a special election board of two or more members to administer ballots to registered voters who are residents of any facility designated in subsection (a) and ~~which that~~ has agreed to participate. The members of such special election board shall be appointed and trained by the county election officer in the same manner as members of election boards serving in polling places on election day. The members of a special election board shall possess the qualifications of registered voters in Kansas and in the county where ~~they such members~~ serve and shall subscribe the oath prescribed by law. The members of the board shall not all be affiliated with the same political party, to the extent practicable, and shall not be candidates for any offices, other than the offices of precinct committeemen or precinct committeewomen, to be elected in the election at which ~~they such members~~ serve.

(c) The special election board shall, to the extent practicable, follow advance voting procedures as provided for ~~in Kansas~~ by law. All persons who are registered voters of the county and who are current residents of the facility may request a ballot from the special election board. In the case of a voter who has applied for and received permanent advance voting status pursuant to ~~subsection (g) of~~ K.S.A. 25-1122 ~~(h)~~, and amendments thereto, the special election board may deliver such voter's ballot to the voter instead of mailing the ballot as required by K.S.A. 25-1123, and amendments thereto. Any voter may receive assistance from a member of the special board or from a person of such voter's choice. Any person rendering assistance to a voter shall sign a written statement as provided for in ~~subsection (d) of~~ K.S.A. 25-1124 ~~(e)~~, and amendments thereto, and shall file such statement with the special board or with the county election officer.

(d) The special election board shall ensure that the privacy of each voter is preserved and shall cause each voter's ballot to be sealed in an envelope or deposited in a locked ballot box. In cases where ~~direct recording~~ electronic or electromechanical voting systems are used, the special election board shall ensure that the voting equipment is secured from tampering and unauthorized access. At the conclusion of the voting process at a facility, the ballots, voting equipment, voting records and materials shall be returned to the county election officer. All the members of the special election board shall certify the receipt and return of the ballots, voting equipment, voting records

and materials.

(e) The county election officer shall ensure that the ballots received from any such special election board shall be tabulated according to procedures established by law for the tabulation of advance voting ballots and shall ensure that the tabulated returns are included with other official election returns and presented to the county board of canvassers for the canvass as provided by law. Any ballot cast by a voter pursuant to this section may be challenged in the same manner as other ballots are challenged.

(f) The county election officer shall ensure that mobile voting sites established under this act are clearly posted as such during the hours voting is allowed.

(g) (1) For the purposes of this section, the term:

(A) "Assisted living facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 39-923, and amendments thereto.

(B) "~~Hospital-based~~ Hospital-based long-term care unit" means a unit that provides physician services and continuous nursing supervision for patients who:

(i) Are not in an acute phase of illness; and

(ii) currently require nursing care that is primarily of a convalescent, restorative or long-term nature. Long-term care unit also includes medicare-certified, distinct-part long-term care units.

(C) "Nursing facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 39-923, and amendments thereto.

Sec. 46. K.S.A. 25-2905 is hereby amended to read as follows: 25-2905. ~~(a)~~ If not already folded, the election board shall fold each ballot before handing the same to a voter. If more than one ballot is to be handed to a voter, the ballots in the set shall be folded separately. Ballots shall be folded so that the names of candidates are concealed and the printed endorsement and ballot number are on the outside of the folded ballot. Before leaving the voting booth, the voter shall refold each of ~~his~~ such voter's ballots separately in the manner ~~he~~ received ~~it~~ and so that the names of candidates and marks on the ballot are concealed. Upon leaving the booth, the voter shall deliver ~~his~~ the ballot or set of ballots to one of the judges, who shall ~~forthwith,~~ promptly and in the presence of the voter and of the election board, properly clip the number therefrom and deposit the ballots in their respective ballot boxes.

(b) The provisions of this section shall only apply to elections conducted in counties that do not use tabulators or optical scanners to count votes.

Sec. 47. K.S.A. 25-3005 is hereby amended to read as follows: 25-3005. At all elections authorized poll agents shall be allowed to be present and observe the proceedings at all original, intermediate and final canvasses of elections, at all recounts authorized by K.S.A. 25-3107, and amendments thereto, at all audits conducted after an election pursuant to K.S.A. 25-3009, and amendments thereto, and at the time and place of casting ballots, subject to such limitations as are prescribed by law or rules and regulations ~~of adopted by~~ the secretary of state. The supervising judge of each voting place shall be in charge thereof and may direct authorized poll agents as to their conduct ~~within the voting place,~~ but such directions shall not favor agents of one kind or party over agents of another kind or party, and such directions shall not be contrary to law, rules and regulations ~~of adopted by~~ the secretary of state; or instructions of the county election officer.

Sec. 48. K.S.A. 2022 Supp. 25-3009 is hereby amended to read as follows: 25-3009.(a) After an election and prior to the meeting of the county board of canvassers to

certify the official election results for any election in which the canvassers certify the results, the county election officer shall conduct a manual audit or tally of each vote cast, regardless of the method of voting, in 1% of all precincts, with a minimum of one precinct located within the county. The precinct or precincts shall be randomly selected and the selection shall take place after the election.

(b) (1) The audit shall be performed manually and shall review all paper ballots selected pursuant to subsection (a). The audit shall be performed by a sworn election board consisting of bipartisan trained board members. The county election officer shall determine the members of the sworn election board who will conduct the audit.

(2) The audit shall review contested races as follows:

(A) In presidential election years:

- (i) One federal race;
- (ii) one state legislative race; ~~and~~
- (iii) one county race; ~~and~~
- (iv) one constitutional amendment question, if any.

(B) In even-numbered, non-presidential election years:

- (i) One federal race;
- (ii) one statewide race;
- (iii) one state legislative race; ~~and~~
- (iv) one county race; ~~and~~
- (v) one constitutional amendment question, if any.

(C) In even-numbered election years, any federal, statewide or state legislative race that is within 1% of the total number of votes cast tallied on election night, as determined by the secretary of state, shall be audited. The county election officer shall conduct the audit in the manner set forth in subsection (a) in 10% of all county precincts in the specified race, with a minimum of one precinct in the county. The precincts audited pursuant to this subsection shall be in addition to the precincts audited under ~~subsections subparagraphs~~ (2)(A) and (B).

(D) In odd-numbered election years, two local races will be randomly selected, and the selection shall take place after the election.

(c) At least five days prior to the audit, notice of the time and location of the audit shall be provided to the public on the official county website. The audit shall be conducted in a public setting. Any candidate or entity who is authorized to appoint a poll agent may appoint a poll agent for the audit.

(d) The results of the audit shall be compared to the unofficial election night returns and a report shall be submitted to the county election office and to the secretary of state's office prior to the meeting of the county board of canvassers. If a discrepancy is reported between the audit and the unofficial returns and cannot be resolved, the county election officer or the secretary of state may require audits of additional precincts. Once the audit has been completed, the results of the audit shall be used by the county board of canvassers when certifying the official election results.

(e) Upon publication of the notice of the audit pursuant to subsection (c), the signed and certified official abstracts required by K.S.A. 25-3006, and amendments thereto, shall be made available by the county election office for review by any authorized poll agent. Such abstracts shall be from all precincts and shall not be limited to those precincts that are subject to the audit. The abstracts shall be available for review until commencement of the original canvass.

(f) The secretary of state shall adopt rules and regulations governing the conduct and procedure of the audit, including the random selection of the precincts and offices involved in the audit.

Sec. 49. K.S.A. 25-3104 is hereby amended to read as follows: 25-3104. The original canvass of every election shall be performed by the election boards at the voting places. The county election officer shall present the original returns, together with the ballots, books and any other records of the election, for the purpose of canvass, to the county board of canvassers at any time between 8 a.m. and 10 a.m. on the Monday next following any election held on a Tuesday, except that the county election officer may move the canvass to any business day not later than 13 days following any election. Notice of the time and place of the canvass shall be published in a newspaper of general circulation in the county prior to the canvass and shall also be published on the website of the county election office. For elections not held on a Tuesday, the canvass by the county board of canvassers shall be held on a day and hour designated by it, and not later than the 13<sup>th</sup> day following the day of such election.

Sec. 50. K.S.A. 25-3107 is hereby amended to read as follows: 25-3107. (a) At the time of commencement of any canvass by the county board of canvassers the county election officer shall present to the county board of canvassers the preliminary abstracts of election returns, together with the ballots and records returned by the election boards and, as provided by rules and regulations adopted by the secretary of state as authorized by K.S.A. 25-1132(b), and amendments thereto, advance voting ballots received after the closing of the polls pursuant to K.S.A. 25-1132(b), and amendments thereto. The county board of canvassers shall inspect and check the records presented by the county election officer and shall hear any questions which the county election officer believes appropriate for determination of the board. The county board of canvassers shall do what is necessary to obtain an accurate and just canvass of the election and shall finalize the preliminary abstract of election returns by making any needed changes, and certifying its authenticity and accuracy. The certification of the county board of canvassers shall be attested by the county election officer. Neither the county board of canvassers nor the county election officer shall open or unseal sacks or envelopes of ballots, except as is required by K.S.A. 25-409, 25-1136 and 25-1337, and amendments thereto, or other specific provision of law or as is authorized to carry out a recount under subsection (b), or as authorized under subsection (e).

(b) If a majority of the members of the county board of canvassers shall determine that there are manifest errors appearing on the face of the poll books of any election board, which might make a difference in the result of any election, or if any candidate shall request the recount of the ballots cast in all or in only specified voting areas for the office for which the person is a candidate, or if any registered elector who cast a ballot in a question submitted election requests a recount in all or only specified voting areas to determine the result of the election, the county board of canvassers shall cause a special election board appointed by the county election officer to meet under the supervision of the county election officer and recount the ballots with respect to any office or question submitted specified by the county board of canvassers or requested by the candidate or elector. If a recount is required in a county that uses optical scanning systems as defined in K.S.A. 25-4601 et seq., and amendments thereto, or electronic or electromechanical voting systems, as defined in K.S.A. 25-4401, and amendments thereto, the method of conducting the recount shall be at the discretion of the person

requesting the recount. The county election officer shall not be a member of the special election board. Before the special election board meets to recount the ballots upon a properly filed request, the party who makes the request shall file with the county election officer a bond, with security to be approved by the county or district attorney, conditioned to pay all costs incurred by the county in making the recount. In the event that the candidate requesting the recount is declared the winner of the election as a result of the recount, or if as a result of the recount a question submitted is overturned, no action shall be taken on the person's bond and the county shall bear the costs incurred for the recount. Any recount must be requested in writing and filed with the county election officer not later than 5 p.m. on the day following the last meeting of the county board of canvassers. The request shall specify which voting areas are to be recounted. The county election officer shall immediately notify any candidate involved in the election for which the recount is requested, or shall notify the county chairperson of each candidate's party. ~~Any~~ the recount shall be initiated not later than the following day and shall be completed not later than 5 p.m. on the fifth day following the filing of the request for a recount, including Saturdays, Sundays and holidays. Upon completion of any recount under this subsection, the election board shall package and reseal the ballots as provided by law and the county board of canvassers shall complete its canvass. The members of the special election board shall be paid as prescribed in K.S.A. 25-2811, and amendments thereto, for time actually spent making the recount.

(c) (1) The provisions of this subsection shall apply to ~~candidates~~ at any election for:

- (A) Any state or national office elected on a statewide basis;
- (B) the office of president or vice president of the United States;
- (C) the office of members of the United States house of representatives;
- (D) the office of members of the state senate or house of representatives whose district is located in two or more counties; ~~and~~
- (E) the office of members of the state board of education; and
- (F) a constitutional amendment.

(2) Any candidate may request a recount in one or more counties. Any registered elector who cast a ballot in an election for a constitutional amendment submitted may request a recount in one or more counties. Any such recount ~~must shall~~ be requested in writing and filed with the secretary of state not later than 5 p.m. on the ~~second Friday following the election~~ day following the last meeting of the county board of canvassers canvassing votes in the election for which the recount is requested. The request shall specify which counties or precincts are to be recounted. If a recount is required in a county that uses optical scanning ~~systems equipment~~, as defined in K.S.A. 25-4601, and amendments thereto, or electronic or electromechanical voting systems, as defined in K.S.A. 25-4401, and amendments thereto, the method of conducting the recount shall be at the discretion of the person requesting the recount. Except as provided by this subsection and subsection (d), the person requesting the recount shall file, contemporaneously with a request for a recount, a bond with the secretary of state ~~and bond~~, with security to be approved by the secretary of state, conditioned to pay all costs incurred by the counties and the secretary of state in making the recount. The amount of the bond shall be determined by the secretary of state. A candidate described in subsection (c)(1)(D) and (E) may post a bond as provided by subsection (b) in lieu of the bond required by this subsection. In the event that the candidate requesting the

recount is declared the winner of the election as a result of the recount, no action shall be taken on the candidate's bond and the counties shall bear the costs incurred for the recount.

(3) The secretary of state immediately shall notify each county election officer affected by the recount and any candidate involved in the election for which the recount is requested. If the candidate cannot be reached, then the secretary of state shall notify the state chairperson of such candidate's party. Any such recount shall be conducted under the supervision of the county election officers at the direction of the secretary of state, and shall be initiated not later than the following day and shall be completed not later than 5 p.m. on the fifth day following the filing of the request for a recount, including Saturdays, Sundays and holidays. Each county election officer involved in the recount shall appoint a special election board to recount the ballots. The members of the special election board shall be paid as prescribed in K.S.A. 25-2811, and amendments thereto, for time actually spent making the recount. Upon completion of any recount under this subsection, the special election board in each county shall package and reseal the ballots as provided by law and the county board of canvassers shall complete its canvass. The county election officer in each county immediately shall certify the results of the recount to the secretary of state.

(d) (1) The provisions of this subsection shall apply to ~~candidates at~~ any general elections for:

- (A) Any state or national office elected on a statewide basis;
- (B) the office of president or vice president of the United States;
- (C) the office of members of the United States house of representatives;
- (D) the office of members of state senate or house of representatives; and
- (E) the office of members of the state board of education.

(2) Whenever the election returns reflect that a candidate for office was defeated by  $\frac{1}{2}$  of 1% or less of the total number of votes cast and if the candidate requests a recount in one or more counties ~~of the ballots, no bond shall be required and~~ the state shall bear the cost of any recount performed using the method by which the ballots were counted originally.

(3) Not later than 60 days following a recount conducted pursuant to this subsection, the board of county commissioners of each county in which the recount occurred shall certify to the secretary of state the amount of all necessary direct expenses incurred by the county. Payment for such expenses shall be made to the county treasurer of the county upon warrants of the director of accounts and reports pursuant to vouchers approved by the secretary of state. Upon receipt of such payment and reimbursements, the county treasurer shall deposit the entire amount thereof in the county election fund, if there is one and if there is not then to the county general fund.

(4) The secretary of state, with the advice of the director of accounts and reports, shall determine the correctness of each amount certified under this section and adjust any discrepancies discovered before approving vouchers for payment to any county.

(e) Procedures for canvassing and challenging advance voting ballots received by mail after the closing of the polls pursuant to K.S.A. 25-1132(b), and amendments thereto, shall be as set forth in rules and regulations adopted by the secretary of state as authorized by K.S.A. 25-1132(b), and amendments thereto.

Sec. 51. K.S.A. 25-3201 is hereby amended to read as follows: 25-3201. The governor, secretary of state and attorney general, or such officers' designee, shall

constitute the state board of canvassers. Any two of such members may act for such board.

Sec. 52. K.S.A. 25-3301 is hereby amended to read as follows: 25-3301. (a) Each registered voter of this state who has declared a party affiliation as provided in this section or in K.S.A. 25-3304, and amendments thereto, shall be entitled to vote at every partisan primary election. Each political party entitled to nominate candidates by primary election shall notify the secretary of state in writing on or before January 15 of any year in which a partisan general election is to be held whether voters who are unaffiliated with such political party may vote in such party's primary election.

(b) The county election officer shall prepare for each voting place at each partisan primary election a party affiliation list, duly certified by such officer, ~~which that~~ clearly indicates the party affiliation of each registered voter in the voting area who has declared a party affiliation. The registration book prepared for a voting place pursuant to K.S.A. 25-2318, and amendments thereto, may be used as such list, but no registration book prepared for use at a voting place in an election other than a partisan primary election or an election held at the same time as a partisan primary election shall indicate in any manner the party affiliation of any voter. Such list shall be delivered by the supervising judge to the voting place before the opening of the polls.

(c) The party affiliation list provided for by subsection (b) shall be used to determine the party affiliation of a voter offering to vote at a partisan primary election and of a voter applying for an advance voting ballot pursuant to K.S.A. 25-1122, and amendments thereto. If a voter's party affiliation is not indicated on the party affiliation list, such voter shall state the voter's party affiliation in writing on a form prescribed by the secretary of state. A judge at the precinct polling place, or the county election officer or such officer's designee, shall give such voter a primary ballot of the voter's party affiliation, and such person thereupon shall be entitled to vote. Such a statement of party affiliation shall constitute a declaration of party affiliation, and all such signed statements shall be returned to the county election officer, who shall cause them to be recorded on the party affiliation list.

(d) Party affiliation statements shall be preserved for five years. The county election officer may dispose of the statements in the manner approved for destruction of ballots as provided in K.S.A. 25-2708, and amendments thereto.

(e) The county election officer shall update party affiliation lists as provided by rules and regulations of the secretary of state.

Sec. 53. K.S.A. 25-3303 is hereby amended to read as follows: 25-3303. Whenever a name is ~~purged removed~~ from the voter registration books as provided by K.S.A. 25-2316c, ~~and amendments thereto~~, such name shall also be ~~purged or~~ removed from the party affiliation list.

Sec. 54. K.S.A. 25-3304 is hereby amended to read as follows: 25-3304. (a) Any person who has declared such person's party or voter affiliation in the manner provided by law shall be listed on a voter affiliation list as a member of a registered political organization, or on a party affiliation list if a member of a recognized political party, unless the person's name is ~~purged or removed therefrom~~ as provided by K.S.A. 25-3303, and amendments thereto, or unless the person changes party or voter affiliation as provided in this section.

(b) Any person, who, having declared a party or voter affiliation, desires to change the same, may file a written declaration with the county election officer, stating the

change of party or voter affiliation. Such declaration cannot be filed during the time from the candidate filing deadline, as prescribed in K.S.A. 25-205, 25-305 and 25-4004, and amendments thereto, through the time when the primary election results are certified by the secretary of state. The county election officer shall enter a record of such change on the party or voter affiliation list of such preceding primary election in the proper column opposite the voter's name.

Sec. 55. K.S.A. 25-3801 is hereby amended to read as follows: 25-3801. (a) At each primary election, the members of the party residing in each precinct in each county of the state shall elect a man ~~of their number from such members~~ as precinct committeeman and a woman ~~of their number from such members~~ as precinct committeewoman. No person shall be eligible to file a declaration of intention to be a candidate for, to be a candidate for or hold the office of precinct committeeman or precinct committeewoman of a party in any precinct unless ~~such the~~ person actually ~~lives, resides and occupies a place of abode~~ in such precinct, ~~and is in all other respects~~ a qualified elector and is ~~shown as~~ a member of such party on the party affiliation list, maintained in the office of the county election officer. Each precinct committeeman and committeewoman shall assume the duties of precinct committeeman and committeewoman on the day after the primary election and shall not be required to take an oath under K.S.A. 54-106, and amendments thereto.

~~(b)~~ (c) Except as provided in subsection ~~(b)~~ (c), any vacancy occurring in the office of precinct committeeman or committeewoman shall be ~~promptly~~ filled by appointment by the county chairperson, ~~except that for any vacancy which that~~ occurs because the party had no candidate at ~~such the~~ primary election shall not be filled until the county central committee has elected or reelected its chairperson. Not later than three days after appointment of precinct committeemen and committeewomen, the county chairperson making the appointments shall notify the county election officer of such appointments and include the name, address, email address, if available, and a phone number or phone numbers, including a mobile phone number, if available, of each appointee in such notification. The county election officer shall make such appointments public immediately upon receipt thereof. ~~As used in this act, "primary election" means the statewide election held in August of even-numbered years.~~

~~(b)(c)~~ (1) When a convention is to be held under article 39 of chapter 25 of Kansas Statutes Annotated, and amendments thereto, to fill a vacancy, no appointments shall be made under subsection (a):

~~(+)(A)~~ After the county chairperson has received notice from the county election officer of a vacancy or a pending vacancy in a county elected office; or

~~(±)(B)~~ after the county chairperson in each county, all or a part of which, is located within a legislative district has received notice from the secretary of state of a vacancy or a pending vacancy in a legislative office.

(2) After the vacancy has been filled by a person elected at a convention held under article 39 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, any vacancy in the office of precinct committeeman or committeewoman shall be filled as provided by subsection (a).

(d) If a precinct committeeman or committeewoman is elected as a write-in candidate, the county clerk shall request from the appropriate county chairperson the name, address, email address, if available, and a phone number or phone numbers, including a mobile phone number, if available, of such elected precinct committeeman





Friday, Saturday and Sunday immediately preceding the election. Each daily report shall contain the information required in paragraph (1) ~~of this section~~. Each report shall be filed by 5:00 p.m. on the next day respectively.

(c) Reports required by this section shall be filed with the secretary of state during regular business hours by hand delivery, or express delivery service, ~~facsimile transmission~~ or at any time by any electronic method authorized by the secretary of state.

(d) (1) "Contribution" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 25-4143, and amendments thereto.

(2) "Party committee" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 25-4143, and amendments thereto.

(3) "Political committee" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 25-4143, and amendments thereto.

(e) The provisions of this section shall be a part of and supplemental to the campaign finance act.

Sec. 59. K.S.A. 25-4322 is hereby amended to read as follows: 25-4322. (a) Before any petition for recall of a local officer is circulated, a copy thereof accompanied by names and addresses of the recall committee and sponsors shall be filed in the office of the county election officer with whom the petitions are required to be filed. The copy of the petition so filed shall be subscribed by the members of the recall committee in the presence of such county election officer. The recall committee shall represent all sponsors and subscribers in matters relating to the recall. Notice on all matters pertaining to the recall may be served on any member of the recall committee in person or by mail addressed to a committee member as indicated on the petition so filed. The county election officer, upon request, shall notify the recall committee of the official number of votes cast for all candidates for the office of the local officer sought to be recalled, such percentage to be based upon the last general election for the current term of office of the officer sought to be recalled.

(b) Before any petition for recall of a local officer is circulated, the county election officer shall transmit a copy of such petition to the county or district attorney or to the attorney designated pursuant to subsection (c) for determination of the sufficiency of the grounds stated in the petition for recall. Within five business days of receipt of the copy of the petition from the county election officer, the county or district attorney or the attorney designated pursuant to subsection (c) shall make such determination and notify the county election officer, the officer sought to be recalled and the recall committee of such determination. Such determination shall include whether:

(1) The facts do not support the grounds for recall as stated in the petition for recall;

(2) the petition is not substantially in the required form;

(3) the petition was filed during the first 120 days of the term of office of the official sought to be recalled or within less than 180 days of the termination of the term of office of the officer sought to be recalled;

(4) the person named in the petition is not a local officer;

(5) there is an insufficient number of required signatures of any kind;

(6) the local officer sought to be recalled has been or is being subjected to another recall election during such officer's current term of office; or

(7) the application does not conform to any other requirement of this act.

(c) In the case of a recall of the county or district attorney, a judge of the district court of such county shall designate an attorney to determine the sufficiency of the grounds stated in the petition for recall. Such attorney shall perform the duties imposed on the county or district attorney in the recall of other local officers.

(d) All mandamus proceedings to compel a recall election and all injunction proceedings to restrain a recall election shall be commenced within 30 days after the county or district attorney's decision.

Sec. 60. K.S.A. 2022 Supp. 25-4414 is hereby amended to read as follows: 25-4414. (a) Electronic or electromechanical voting system or electronic poll book fraud is:

~~(a)(1)~~ (1) Being in unlawful or unauthorized possession of electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware, software or ballots;

(2) accessing without authorization or facilitating the unauthorized access to electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware, software or ballots;

(3) knowingly publishing or causing to be published any password or other confidential information relating to electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware or software; or

~~(b)(4)~~ (4) intentionally tampering with, altering, disarranging, defacing, impairing or destroying any electronic or electromechanical voting system, electronic poll book or component part thereof, or any ballot used by such electronic or electromechanical voting systems.

(b) Electronic or electromechanical voting system or electronic poll book fraud is a severity level 9, nonperson felony.

Sec. 61. K.S.A. 25-4612 is hereby amended to read as follows: 25-4612. (a) Optical scanning equipment fraud is:

~~(a)(1)~~ (1) Being in unlawful or unauthorized possession of ballots, optical scanning equipment, computer programs, operating systems, firmware or software;

(2) accessing without authorization or facilitating the unauthorized access to optical scanning equipment;

(3) knowingly publishing or causing to be published any password or other confidential information relating to optical scanning equipment; or

~~(b)(4)~~ (4) intentionally tampering with, altering, disarranging, defacing, impairing or destroying any optical scanning equipment or component part thereof, or any ballot, operating system, firmware or software used by a system.

(b) Optical scanning equipment fraud is a severity level 9, nonperson felony.

Sec. 62. K.S.A. 25-4703 is hereby amended to read as follows: 25-4703. As used in this act:

(a) "Arbitrator" means a neutral third party selected by the secretary of state who resolves the dispute between the complainant and respondent, and whose decision is final.

(b) "Complainant" means the person who files a complaint with the Kansas secretary of state under this act.

(c) "Respondent" means any state or local election official whose actions are asserted to be in violation of title III in a complaint filed under this act.

(d) "Title III" means title III of the help America vote act of 2002, public law 107-

252, 116 Stat. 1666 (2002), codified at ~~42 United States code §§ 15481-15485~~ 52 U.S.C. §§ 21081-21102.

Sec. 63. K.S.A. 25-4709 is hereby amended to read as follows: 25-4709. (a) Except as provided in subsection (c), if requested by the complainant, the secretary of state shall conduct a hearing on the record to review the complaint. The secretary of state or other person designated by the secretary of state shall serve as the hearing officer.

(b) The hearing shall be conducted no later than 30 days after the secretary of state receives the complaint. The secretary of state shall give at least ~~5~~ five days advance notice of the date, time, and place of the hearing to the complainant and each named respondent.

(c) After reviewing a complaint and giving all inferences to the complainant, the secretary of state, after consultation on such complaint with the attorney general, may dismiss the complaint without a hearing if the complaint fails to allege facts that assert a violation of title III.

Sec. 64. K.S.A. 71-1415 is hereby amended to read as follows: 71-1415. (a) In college districts in which a district method of election is in effect, if there are more than three qualified candidates for any member position, the county election officer shall call, and there shall be held, a primary election in each such member district. The names of the two candidates receiving the greatest number of votes for any member position at the primary election shall appear on the ballots in the general election. If there are three or fewer qualified candidates for any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(b) In college districts in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are trustees to be elected, the county election officer shall call, and there shall be held, a primary election. The names of twice the number of candidates as there are trustees to be elected who receive the greatest number of votes at the primary election shall appear on the ballots in the general election. If there are not more than three times the number of candidates as there are trustees to be elected, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(c) If a member is to be elected to fill an unexpired term, the office shall be listed separately on the ballots. If there are more than three candidates for such unexpired term, the county election officer shall call, and there shall be held, a primary election. The names of the two candidates for such unexpired term receiving the greatest number of votes shall appear on the ballots in the general election. If there are three or fewer qualified candidates for the unexpired term of any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(d) On the ballots in general college district elections, blank lines for the names of write-in candidates shall be printed at the end of the list of candidates for each different office. The number of blank lines for each elected office shall be equal to the number of candidates to be elected thereto. The purpose of such blank lines shall be to permit the voter to insert the name of any person who is a qualified elector residing in the district and whose name is not printed on the ballot but for whom such voter desires to vote for such office. No lines for write-in candidates shall appear on primary college district election ballots.";

Also on page 4, in line 8, by striking "25-305, 25-305b,"; also in line 8, by striking "25-2903 and 25-3002" and inserting "10-120, 15-809, 19-303, 19-804, 19-3419, 19-3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-213, 25-222, 25-303, 25-305, 25-305b, 25-308, 25-321, 25-432, 25-433, 25-604, 25-901, 25-1115, 25-1122, 25-1214, 25-1709, 25-1710, 25-1903, 25-2005, 25-2008, 25-2018, 25-2021, 25-21a02, 25-2310, 25-2502, 25-2507, 25-2601, 25-26a03, 25-2702, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-2903, 25-2905, 25-3002, 25-3005, 25-3104, 25-3107, 25-3201, 25-3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-4322, 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424, 25-3009 and 25-4414";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "write-in candidates" and inserting "election procedures"; by striking all in line 4; in line 5, by striking all before the period and inserting "clarifying duties and qualifications of certain election officials; redefining certain election crimes; amending K.S.A. 10-120, 15-809, 19-303, 19-804, 19-3419, 19-3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-213, 25-303, 25-305, 25-308, 25-321, 25-432, 25-433, 25-604, 25-901, 25-1115, 25-1122, 25-1214, 25-1903, 25-2005, 25-2008, 25-2018, 25-2021, 25-21a02, 25-2310, 25-2502, 25-2507, 25-26a03, 25-2702, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-2903, 25-2905, 25-3002, 25-3005, 25-3104, 25-3107, 25-3201, 25-3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-4322, 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424, 25-3009 and 25-4414 and repealing the existing sections; also repealing K.S.A. 25-222, 25-305b, 25-1709, 25-1710 and 25-2601";

And your committee on conference recommends the adoption of this report.

PAT PROCTOR

PAUL WAGGONER

BRANDON WOODARD

*Conferees on part of House*

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

*Conferees on part of Senate*

Senator Thompson moved the Senate adopt the Conference Committee Report on **SB 221**.

Upon the showing of ten hands a motion to Call the Question was requested. Division was requested and the motion carried.

On roll call, the vote was: Yeas 30; Nays 6; Present and Passing 3; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Pettey, Reddi, Ryckman, Steffen, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Blasi, Olson, Pittman, Pyle, Straub, Tyson.

Present and Passing: Billinger, Kerschen, Petersen.

Absent or Not Voting: Shallenburger.

The Conference Committee Report was adopted.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2138** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2138, as follows:

On page 2, following line 2, by inserting:

"New Sec. 2. (a) If the association enters into or renews an exclusive broadcast agreement for a regular season activity or postseason activity, such agreement shall not prohibit local broadcasters from broadcasting a school's regular season activity or postseason activity if the local broadcasters:

(1) Provide broadcast services for the school that is participating in the postseason activity;

(2) broadcast at least  $\frac{1}{3}$  of the events of such activity during the regular season; and

(3) entered into valid broadcast agreements to broadcast the events of the activity during the regular season.

(b) The provisions of this section shall not prohibit the association from requiring local broadcasters to enter into regular season or postseason broadcast agreements with stipulations that may include, but are not limited to:

(1) Reasonable compensation for broadcasts, except that no fee shall be charged for such broadcasts;

(2) approval by host site;

(3) limitations on organizations that are permitted to sponsor part of the broadcast; and

(4) requirements for competent and professional announcers.

(c) As used in this section:

(1) "Activity" and "activities" mean the same as defined in K.S.A. 72-7117, and amendments thereto.

(2) "Association" means the state high school activities association or any association authorized by K.S.A. 72-7114, and amendments thereto.

(3) "Broadcast" means the live or recorded audio or video transmission of an activity, play-by-play or similar accounts of such activity via radio, television, internet or other technologies.

(4) "Exclusive broadcast agreement" means an agreement entered into between the association and an organization to broadcast association activities under which such organization retains sole rights to broadcast such activities or first right to broadcast such activities.

(5) "Local broadcaster" means an organization, located in Kansas, that provides local broadcast services for any activity of a local school. "Local broadcaster" includes a student organized broadcast that is offered as an educational course or program by the school.

(6) "Organization" means an individual, public or private corporation, partnership, limited liability company, association, joint venture or any other legal or commercial entity.

(7) "Postseason activity" means an association-sponsored activity that occurs after the regular season is complete, including individual games and tournaments.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts;"

And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER  
 RENEE ERICKSON  
*Conferees on part of Senate*

ADAM THOMAS  
 SUSAN ESTES  
*Conferees on part of House*

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **S Sub HB 2138**.

On roll call, the vote was: Yeas 28; Nays 10; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Shallenburger.

The Conference Committee Report was adopted.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. SCR 1612—

By Senators Masterson, Alley and Sykes

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2023 regular session of the legislature.

*Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on April 6, 2023, and shall reconvene proforma on April 24, 2023; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating

council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

On emergency motion of Senator Alley, **SCR 1612** was adopted by voice vote.

On motion of Senator Alley, the Senate recessed until 9:30 p.m.

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The Senate met pursuant to recess with President Masterson in the chair.

#### **MESSAGE FROM THE HOUSE**

The House adopts the Conference Committee report on **HB 2014**.

The House adopts the Conference Committee report on **HB 2039**.

The House adopts the Conference Committee report on **HB 2336**.

The House adopts the Conference Committee report on **HB 2100**.

The House adopts the Conference Committee report on **S Sub HB 2302**.

The House adopts the Conference Committee report on **HB 2184**.

The House adopts the Conference Committee report to agree to disagree on **SB 26**, and has appointed Representatives W. Carpenter, Humphries and Hoye as second conferees on the part of the House.

#### **CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 26** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

WILL CARPENTER

SUSAN HUMPHRIES

JO ELLA HOYE

*Conferees on part of House*

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

*Conferees on part of Senate*

On motion of Senator Gossage the Senate adopted the conference committee report on **SB 26**, and requested a new conference be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **SB 26**.

**CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR**

Senator Warren moved the Senate concur in House amendments to **SB 75**.

**SB 75**, AN ACT concerning the legal rate of interest; relating to the percentage rate used to calculate interest; amending K.S.A. 16-201 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn, Shallenburger.

The Senate concurred.

Senator Warren moved the Senate concur in House amendments to **SB 243**.

**SB 243**, AN ACT concerning minors; relating to settlement agreements; providing requirements and procedures for a person having legal custody of a minor to enter into a settlement agreement on behalf of the minor increasing certain related dollar amounts in the Kansas uniform transfers to minors act and the act for obtaining a guardian or a conservator, or both; amending K.S.A. 38-1707, 38-1708, 59-3053, 59-3055 and 74-49,127 and K.S.A. 2022 Supp. 59-3075 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn, Shallenburger.

The Senate concurred.

Senator Warren moved the Senate concur in House amendments to **H Sub SB 244**.

**H Sub SB 244**, AN ACT concerning business entities; relating to the Kansas general corporation code, the business entity transactions act, the business entity standard treatment act, the Kansas revised uniform limited partnership act and the Kansas uniform partnership act; facilitating the use of electronic transmissions and electronic signatures with certain exceptions; revising procedures and requirements related to emergency bylaws and actions under emergency conditions; merger or consolidation; dissolution and revocation or restoration of revoked or forfeited articles of incorporation or authority to engage in business and revival; modifying fees charged by the secretary of state for certain filings and copies; amending K.S.A. 17-6520, 56a-105 and 79-1119 and K.S.A. 2022 Supp. 17-2036, 17-2718, 17-4634, 17-4677, 17-6002, 17-6004, 17-6008, 17-6010, 17-6011, 17-6014, 17-6301, 17-6305, 17-6401, 17-6408, 17-6410, 17-6413, 17-6426, 17-6427, 17-6428, 17-6502, 17-6503, 17-6509, 17-6512, 17-6514, 17-6518, 17-6522, 17-6701, 17-6702, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6712, 17-6712, as amended by section 36 of this act, 17-6804, 17-6812, 17-7001, 17-7002, 17-7003, 17-72a04, 17-72a05, 17-72a07, 17-7302, 17-7503, 17-7504, 17-7505, 17-7506, 17-76,136, 17-76,139, 17-78-102, 17-78-202, 17-78-203, 17-78-205, 17-78-302, 17-78-606, 17-7914, 17-7918, 17-7919, 17-7924, 17-7929, 17-7933, 56-1a605, 56-

1a606, 56-1a607, 56a-1201, 56a-1202 and 79-3234 and repealing the existing sections; also repealing K.S.A. 17-7514, 56-1a608, 56-1a610, 56a-1203 and 56a-1204 and K.S.A. 2022 Supp. 17-72a03 and 17-7511.

On roll call, the vote was: Yeas 28; Nays 8; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Blasi, Olson, Pittman, Pyle, Steffen, Straub, Thompson, Tyson.

Present and Passing: Francisco, Holland.

Absent or Not Voting: McGinn, Shallenburger.

The Senate concurred.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2019** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 26; following line 26, by inserting:

"New Section 1. (a) Except as provided in subsection (b):

(1) Any public entity that has a significant cybersecurity incident shall notify the Kansas information security office within 12 hours after discovery of such incident.

(2) Any government contractor that has a significant cybersecurity incident that involves the confidentiality, integrity or availability of personal information or confidential information provided by the state of Kansas, networks or information systems operated by or on behalf of the state of Kansas shall notify the Kansas information security office:

(A) Within 72 hours after the government contractor reasonably believes that such significant cybersecurity incident occurred; or

(B) if a determination is made during the investigation that such information, networks or systems were directly impacted, within 12 hours after such determination is made.

(3) If a significant cybersecurity incident described in paragraph (1) or (2) involves election data, then the public entity or government contractor shall also notify the secretary of state of such incident within the time period required by paragraph (1) or (2).

(b) (1) Any entity that is connected to the Kansas criminal justice information system shall report any cybersecurity incident in accordance with rules and regulations adopted by the Kansas criminal justice information system committee pursuant to K.S.A. 74-5704, and amendments thereto.

(2) An entity that is connected to the Kansas criminal justice information system and is not connected to any other state of Kansas information system shall not be required to make the report required in subsection (a).

(3) The Kansas bureau of investigation shall notify the Kansas information security office of any significant cybersecurity incident report it receives in accordance with

rules and regulations adopted pursuant to K.S.A. 74-5704, and amendments thereto, not later than 12 hours after receipt of such report.

(c) (1) The information provided pursuant to this section shall only be shared with individuals who need to know such information for response and defensive activities to preserve the integrity of state information systems and networks or to provide assistance if requested.

(2) Such information shall be confidential and shall not be subject to disclosure pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto. This paragraph shall expire on July 1, 2028, unless the legislature reviews and acts to continue such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

(3) The Kansas information security office shall only report the information provided pursuant to this section as aggregate data.

(d) Nothing in this section shall be construed to supersede notification requirements in currently existing contracts between the state of Kansas and entities.

(e) Prior to October 1, 2023, the Kansas information security office shall post instructions on its website for submitting the significant cybersecurity reports required by this section. Such instructions shall include, but not be limited to, the types of incidents that are required to be reported and any information that is required to be included in the report made through the established cybersecurity incident reporting system.

(f) For the purposes of this section:

(1) "Cybersecurity incident" means an event or combination that threatens, without lawful authority, the confidentiality, integrity or availability of information or information systems and that requires an entity to initiate a response or recovery activity;

(2) "entity" means a public entity or government contractor;

(3) "government contractor" means an individual or private entity that performs work for or on behalf of the state of Kansas on a contract basis that has access to or is hosting state networks, systems, application or information;

(4) "information system" means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination or disposition of information;

(5) "personal information" means the same as defined in K.S.A. 2022 Supp. 50-7a01, and amendments thereto;

(6) "private entity" means an individual, corporation, company, partnership, firm, association or other entity that is not a public entity;

(7) "public entity" means any public agency of the state or any political subdivision thereof;

(8) "security breach" means the same as defined in K.S.A. 2022 Supp. 50-7a01, and amendments thereto;

(9) "significant cybersecurity incident" means a cybersecurity incident that results in or is likely to result in financial loss or demonstrable harm to public confidence or public health and safety in the state of Kansas; and

(10) "unauthorized disclosure" means the accidental exposure of personal information to a person or entity that is not authorized or does not have a valid need to view the information.

Sec. 2. K.S.A. 46-2102 is hereby amended to read as follows: 46-2102. In addition to other powers and duties authorized or prescribed by law or by the legislative coordinating council, the joint committee on information technology shall:

(a) Study the use by state agencies and institutions of computers, telecommunications and other information technologies;

(b) review new governmental computer hardware and software acquisition, information storage, transmission, processing and telecommunications technologies proposed by state agencies and institutions, and the implementation plans therefor, including all information technology project budget estimates and three-year strategic information technology plans that are submitted to the joint committee pursuant to K.S.A. 75-7210, and amendments thereto;

(c) advise and consult on all state agency information technology projects, as defined in K.S.A. 75-7201, and amendments thereto, that pose a significant business risk as determined by the information technology executive council's policies and in accordance with K.S.A. 75-7209, and amendments thereto;

(d) make recommendations on all such implementation plans, budget estimates, requests for proposals for information technology projects and three-year plans to the ways and means committee of the senate and the committee on appropriations of the house of representatives;

~~(e)~~(e) study the progress and results of all newly implemented governmental computer hardware and software, information storage, transmission, processing and telecommunications technologies of state agencies and institutions including all information technology projects for state agencies which have been authorized or for which appropriations have been approved by the legislature; and

~~(f)~~(f) make an annual report to the legislative coordinating council as provided in K.S.A. 46-1207, and amendments thereto, and such special reports to committees of the house of representatives and senate as are deemed appropriate by the joint committee.

Sec. 3. K.S.A. 74-5704 is hereby amended to read as follows: 74-5704. The committee shall:

(a) Adopt and enforce such rules, regulations and policies as that are necessary for the establishment, maintenance, upgrading and operation of the statewide criminal justice information system; and

(b) adopt rules and regulations that require entities connected to the Kansas criminal justice information system to report any cybersecurity incident to the Kansas bureau of investigation not later than 12 hours after the discovery of such cybersecurity incident.

Sec. 4. K.S.A. 75-7201 is hereby amended to read as follows: 75-7201. As used in K.S.A. 75-7201 through 75-7212, and amendments thereto:

(a) "Business risk" means the overall level of risk determined by a business risk assessment that includes, but is not limited to, cost, information security and other elements as determined by the information technology executive council's policies.

(b) "Cumulative cost" means the total expenditures, from all sources, for any information technology project by one or more state agencies to meet project objectives from project start to project completion or the date and time the project is terminated if it is not completed.

~~(c)~~(c) "Executive agency" means any state agency in the executive branch of government.

~~(e)(d)~~ "Information technology project" means a project for a major computer, telecommunications or other information technology improvement with an estimated cumulative cost of \$250,000 or more and includes any such project that has proposed expenditures for: (1) New or replacement equipment or software; (2) upgrade improvements to existing equipment and any computer systems, programs or software upgrades therefor; or (3) data or consulting or other professional services for such a project an information technology effort by a state agency of defined and limited duration that implements, effects a change in or presents a risk to processes, services, security systems, records, data, human resources or architecture.

~~(d)(c)~~ "Information technology project change or overrun" means ~~any of the following any change in:~~

(1) ~~Any change in~~ Planned expenditures for an information technology project that would result in the total authorized cost of the project being increased above the currently authorized cost of such project by more than ~~either \$1,000,000 or 10% of such currently authorized cost of such project, whichever is lower or an established threshold within the information technology executive council's policies;~~

(2) ~~any change in the scope or project timeline~~ of an information technology project, as such scope or timeline was presented to and reviewed by the joint committee or the chief information technology officer to whom the project was submitted pursuant to K.S.A. 75-7209, and amendments thereto, that is a change of more than 10% or a change that is significant as determined by the information technology executive council's policies; or

(3) ~~any change in the proposed use of any new or replacement information technology equipment or in the use of any existing information technology equipment that has been significantly upgraded.~~

~~(e)(f)~~ "Joint committee" means the joint committee on information technology.

~~(f)(g)~~ "Judicial agency" means any state agency in the judicial branch of government.

~~(g)(h)~~ "Legislative agency" means any state agency in the legislative branch of government.

~~(h)(i)~~ "Project" means a planned series of events or activities that is intended to accomplish a specified outcome in a specified time period, under consistent management direction within a state agency or shared among two or more state agencies, and that has an identifiable budget for anticipated expenses.

~~(i)(j)~~ "Project completion" means the date and time when the head of a state agency having primary responsibility for an information technology project certifies that the improvement being produced or altered under the project is ready for operational use.

~~(j)(k)~~ "Project start" means the date and time when a state agency begins a formal study of a business process or technology concept to assess the needs of the state agency, determines project feasibility or prepares an information technology project budget estimate under K.S.A. 75-7209, and amendments thereto.

~~(k)(l)~~ "State agency" means any state office or officer, department, board, commission, institution or bureau, or any agency, division or unit thereof.

Sec. 5. K.S.A. 75-7202 is hereby amended to read as follows: 75-7202. (a) There is hereby established the information technology executive council which shall be attached to the office of information technology services for purposes of administrative functions.

- (b)(1) The council shall be composed of 17 voting members as follows:
- (A) Two cabinet agency heads or such persons' designees;
  - (B) two noncabinet agency heads or such persons' designees;
  - (C) the executive chief information technology officer;
  - (D) the legislative chief information technology officer;
  - (E) the judicial chief information technology officer;
  - (F) the chief executive officer of the state board of regents or such person's designee;
  - (G) one representative of cities;
  - (H) one representative of counties; the network manager of the information network of Kansas (INK);
  - (I) one representative with background and knowledge in technology and cybersecurity from the private sector, ~~however, except that~~ such representative or such representative's employer shall not be an information technology or cybersecurity vendor that does business with the state of Kansas;
  - (J) one representative appointed by the Kansas criminal justice information system committee;
  - (K) one member of the senate ~~ways and means committee~~ appointed by the president of the senate or such member's designee;
  - (L) one member of the senate ~~ways and means committee~~ appointed by the minority leader of the senate or such member's designee;
  - (M) one member of the house ~~government, technology and security committee or its successor committee of representatives~~ appointed by the speaker of the house of representatives or such member's designee; and
  - (N) one member of the house ~~government, technology and security committee or its successor committee of representatives~~ appointed by the minority leader of the house of representatives or such member's designee.
- (2) The chief information technology architect shall be a nonvoting member of the council.
- (3) The cabinet agency heads, the noncabinet agency heads, the representative of cities, the representative of counties and the representative from the private sector shall be appointed by the governor for a term not to exceed 18 months. Upon expiration of an appointed member's term, the member shall continue to hold office until the appointment of a successor. Legislative members shall remain members of the legislature in order to retain membership on the council and shall serve until replaced pursuant to this section. Vacancies of members during a term shall be filled in the same manner as the original appointment only for the unexpired part of the term. The appointing authority for a member may remove the member, reappoint the member or substitute another appointee for the member at any time. Nonappointed members shall serve ex officio.
- (c) The chairperson of the council shall be drawn from the chief information technology officers, with each chief information technology officer serving a one-year term. The term of chairperson shall rotate among the chief information technology officers on an annual basis.
- (d) The council shall hold quarterly meetings and hearings in the city of Topeka or at such other places as the council designates, on call of the executive chief information technology officer or on request of four or more members. A quorum of the council

shall be nine. All actions of the council shall be taken by a majority of all of the members of the council.

(e) Except for members specified as a designee in subsection (b), members of the council may not appoint an individual to represent them on the council and only members of the council may vote.

(f) Members of the council shall receive mileage, tolls and parking as provided in K.S.A. 75-3223, and amendments thereto, for attendance at any meeting of the council or any subcommittee meeting authorized by the council.

Sec. 6. K.S.A. 75-7205 is hereby amended to read as follows: 75-7205. (a) There is hereby established within and as a part of the office of information technology services the position of executive chief information technology officer. The executive chief information technology officer shall be in the unclassified service under the Kansas civil service act, shall be appointed by the governor, and shall receive compensation in an amount fixed by the governor. The executive chief information technology officer shall maintain a presence in any cabinet established by the governor and shall report to the governor.

(b) The executive chief information technology officer shall:

(1) Review and consult with each executive agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(2) report to the chief information technology architect all deviations from the state information architecture that are reported to the executive information technology officer by executive agencies;

(3) submit recommendations to the division of the budget as to the technical and management merit of information technology ~~project estimates projects~~ and information technology project changes and overruns submitted by executive agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto, ~~based on the determinations made pursuant to subsection (b)(1);~~

(4) monitor executive agencies' compliance with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(5) coordinate implementation of new information technology among executive agencies and with the judicial and legislative chief information technology officers;

(6) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the executive branch of state government; and

(7) perform such other functions and duties as provided by law or as directed by the governor.

Sec. 7. K.S.A. 75-7206 is hereby amended to read as follows: 75-7206. (a) There is hereby established within and as a part of the office of the state judicial administrator the position of judicial chief information technology officer. The judicial chief information technology officer shall be appointed by the judicial administrator, subject to approval of the chief justice, and shall receive compensation determined by the judicial administrator, subject to approval of the chief justice.

(b) The judicial chief information technology officer shall:

(1) Review and consult with each judicial agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(2) report to the chief information technology architect all deviations from the state information architecture that are reported to the judicial information technology officer by judicial agencies;

(3) submit recommendations to the judicial administrator as to the technical and management merit of information technology ~~project estimates projects~~ and information technology project changes and overruns submitted by judicial agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto, ~~based on the determinations pursuant to subsection (b)(1);~~

(4) monitor judicial agencies' compliance with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(5) coordinate implementation of new information technology among judicial agencies and with the executive and legislative chief information technology officers;

(6) designate the ownership of information resource processes and the lead agency

for implementation of new technologies and networks shared by multiple agencies within the judicial branch of state government; and

(7) perform such other functions and duties as provided by law or as directed by the judicial administrator.

Sec. 8. K.S.A. 75-7208 is hereby amended to read as follows: 75-7208. The legislative chief information technology officer shall:

(a) Review and consult with each legislative agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with the:

(1) ~~the~~ Information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(2) ~~the~~ information technology architecture adopted by the information technology executive council;

(3) ~~the~~ standards for data management adopted by the information technology executive council; and

(4) ~~the~~ strategic information technology management plan adopted by the information technology executive council;

(b) report to the chief information technology architect all deviations from the state information architecture that are reported to the legislative information technology officer by legislative agencies;

(c) submit recommendations to the legislative coordinating council as to the technical and management merit of information technology ~~project estimates projects~~ and information technology project changes and overruns submitted by legislative agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto, ~~based on the determinations pursuant to subsection (a);~~

(d) monitor legislative agencies' compliance with the:

(1) ~~The~~ Information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(2) ~~the~~ information technology architecture adopted by the information technology executive council;

(3) ~~the~~ standards for data management adopted by the information technology executive council; and

(4) ~~the~~ strategic information technology management plan adopted by the information technology executive council;

(e) coordinate implementation of new information technology among legislative agencies and with the executive and judicial chief information technology officers;

(f) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the legislative branch of state government;

(g) serve as staff of the joint committee; and

(h) perform such other functions and duties as provided by law or as directed by the legislative coordinating council or the joint committee.

Sec. 9. K.S.A. 75-7209 is hereby amended to read as follows: 75-7209. (a) (1) Whenever an agency proposes an information technology project, such agency shall prepare and submit information technology project documentation to the chief

information technology officer of the branch of state government of which the agency is a part of a project budget estimate therefor, and for each amendment or revision thereof, in accordance with this section. Each information technology project budget estimate shall be in such form as required by the director of the budget, in consultation with the chief information technology architect, and by this section. In each case, the agency shall prepare and include as a part of such project budget estimate a plan consisting of a written program statement describing the project. The program statement shall:

(1) Include a detailed description of and justification for the project, including: (A) An analysis of the programs, activities and other needs and intended uses for the additional or improved information technology; (B) a statement of project scope including identification of the organizations and individuals to be affected by the project and a definition of the functionality to result from the project; and (C) an analysis of the alternative means by which such information technology needs and uses could be satisfied;

(2) describe the tasks and schedule for the project and for each phase of the project, if the project is to be completed in more than one phase;

(3) include a financial plan showing: (A) The proposed source of funding and categorized expenditures for each phase of the project; and (B) cost estimates for any needs analyses or other investigations, consulting or other professional services, computer programs, data, equipment, buildings or major repairs or improvements to buildings and other items or services necessary for the project; and

(4) include a cost-benefit statement based on an analysis of qualitative as well as financial benefits. Such information technology project documentation shall:

(A) Include a financial plan showing the proposed source of funding and categorized expenditures for each phase of the project and cost estimates for any needs analyses or other investigations, consulting or other professional services, computer programs, data, equipment, buildings or major repairs or improvements to buildings and other items or services necessary for the project; and

(B) be consistent with:

(i) Information technology resource policies and procedures and project management methodologies for all state agencies;

(ii) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies;

(iii) standards for data management for all state agencies; and

(iv) a strategic information technology management plan for the state.

(2) Any information technology project with significant business risk, as determined pursuant to the information technology executive council's policies, shall be presented to the joint committee on information technology by such branch chief information technology officer.

(b) (1) ~~Before one or more state agencies proposing an information technology project begin implementation of the project, the project plan, including the architecture and the cost-benefit analysis, shall be approved by the head of each state agency proposing the project and by the chief information technology officer of each branch of state government of which the agency or agencies are a part. Approval of those projects that involve telecommunications services shall also be subject to the provisions of K.S.A. 75-4709, 75-4710 and 75-4712, and amendments thereto.~~

~~(2) All specifications for bids or proposals related to an approved information~~

technology project of one or more state agencies shall be reviewed by the chief information technology officer of each branch of state government of which the agency or agencies are a part Prior to the release of any request for proposal for an information technology project with significant business risk;

(A) Specifications for bids or proposals for such project shall be submitted to the chief information technology officer of the branch of state government of which the agency or agencies are a part. Information technology projects requiring chief information technology officer approval shall also require the chief information technology officer's written approval on specifications for bids or proposals; and

(B) (i) The chief information technology officer of the appropriate branch over the state agency or agencies that are involved in such project shall submit the project, the project plan, including the architecture, and the cost-benefit analysis to the joint committee on information technology to advise and consult on the project. Such chief information technology officer shall submit such information to each member of the joint committee and to the director of the legislative research department. Each such project plan summary shall include a notice specifying the date the summary was mailed or emailed. After receiving any such project plan summary, each member shall review the information and may submit questions, requests for additional information or request a presentation and review of the proposed project at a meeting of the joint committee. If two or more members of the joint committee contact the director of the legislative research department within seven business days of the date specified in the summary description and request that the joint committee schedule a meeting for such presentation and review, then the director of the legislative research department shall notify the chief information technology officer of the appropriate branch, the head of such agency and the chairperson of the joint committee that a meeting has been requested for such presentation and review on the next business day following the members' contact with the director of the legislative research department. Upon receiving such notification, the chairperson shall call a meeting of the joint committee as soon as practicable for the purpose of such presentation and review and shall furnish the chief information technology officer of the appropriate branch and the head of such agency with notice of the time, date and place of the meeting. Except as provided in subsection (b)(1)(B)(ii), the state agency shall not authorize or approve the release of any request for proposal or other bid event for an information technology project without having first advised and consulted with the joint committee at a meeting.

(ii) The state agency or agencies shall be deemed to have advised and consulted with the joint committee about such proposed release of any request for proposal or other bid event for an information technology project and may authorize or approve such proposed release of any request for proposal or other bid event for an information technology project if:

(a) Fewer than two members of the joint committee contact the director of the legislative research department within seven business days of the date the project plan summary was mailed and request a committee meeting for a presentation and review of any such proposed request for proposal or other bid event for an information technology project; or

(b) a committee meeting is requested by at least two members of the joint committee pursuant to this paragraph, but such meeting does not occur within two calendar weeks of the chairperson receiving the notification from the director of the

legislative research department of a request for such meeting.

~~(2)~~(2) (A) Agencies are prohibited from contracting with a vendor to implement the project if that vendor prepared or assisted in the preparation of the program statement ~~required under subsection (a)~~, the project planning documents ~~required under subsection (b)(1)~~, or any other project plans prepared prior to the project being approved by the chief information technology officer as required ~~under subsection (b)(1) by this section.~~

(B) Information technology projects with an estimated cumulative cost of less than \$5,000,000 are exempted from the provisions of subparagraph (A).

(C) The provisions of subparagraph (A) may be waived with prior written permission from the chief information technology officer.

(c) Annually at the time specified by the chief information technology officer of the branch of state government of which the agency is a part, each agency shall submit to such officer:

(1) A copy of a three-year strategic information technology plan that sets forth the agency's current and future information technology needs and utilization plans for the next three ensuing fiscal years, in such form and containing such additional information as prescribed by the chief information technology officer; and

(2) any deviations from the state information technology architecture adopted by the information technology executive council.

(d) The provisions of this section shall not apply to the information network of Kansas (INK).

Sec. 10. K.S.A. 75-7210 is hereby amended to read as follows: 75-7210. ~~(a)~~Not later than ~~October~~ November 1 of each year, the executive, judicial and legislative chief information technology officers shall submit to the joint committee and to the legislative research department all information technology project budget estimates and amendments and revisions thereto, all three-year plans and all deviations from the state information technology architecture submitted to such officers pursuant to K.S.A. 75-7209, and amendments thereto. ~~The legislative chief information technology officer~~ joint committee shall review all such estimates and amendments and revisions thereto, plans and deviations and shall make recommendations to the joint committee house standing committee on appropriations and the senate standing committee on ways and means regarding the merit thereof and appropriations therefor.

~~(b) The executive and judicial chief information technology officers shall report to the legislative chief information technology officer, at times agreed upon by the three officers:~~

~~(1) Progress regarding implementation of information technology projects of state agencies within the executive and judicial branches of state government; and~~

~~(2) all proposed expenditures for such projects, including all revisions to such proposed expenditures, for the current fiscal year and for ensuing fiscal years.~~

Sec. 11. K.S.A. 75-7211 is hereby amended to read as follows: 75-7211. (a) ~~The legislative chief information technology officer, under the direction of the joint committee; shall monitor state agency execution of reported information technology projects and, at times agreed upon by~~ The joint committee shall require the three chief information technology officers; ~~shall to~~ report progress regarding the implementation of such projects and all proposed expenditures therefor, including all revisions to such proposed expenditures for the current fiscal year and for ensuing fiscal years.

(b) For information technology projects, the joint committee may:

(1) Require the head of a any state agency with primary responsibility for an information technology project ~~may authorize or approve, without prior consultation with the joint committee, any change in planned expenditures for an information technology project that would result in the total cost of the project being increased above the currently authorized cost of such project but that increases the total cost of such project by less than the lower of either \$1,000,000 or 10% of the currently authorized cost, and any change in planned expenditures for an information technology project involving a cost reduction, other than a change in the proposed use of any new or replacement information technology equipment or in the use of any existing information technology equipment that has been significantly upgraded to advise and consult on the status and progress of such information technology project, including revisions to expenditures for the current fiscal year and ensuing fiscal years; and~~

(2) report on the status and progress of such information technology projects to the senate standing committee on ways and means, the house of representatives standing committee on appropriations and the legislative budget committee.

(c) Prior to authorizing or approving any information technology project change or overrun, the head of a state agency with primary responsibility for ~~an such~~ information technology project shall ~~not authorize or approve, without first advising and consulting with the joint committee~~ any information technology project change or overrun report all such information technology project changes or overruns to the joint committee through the chief information technology officer of the branch of state government of which the agency is a part pursuant to the information technology executive council's policy. The joint committee shall report all such changes and overruns to the senate standing committee on ways and means ~~and~~, the house of representatives standing committee on appropriations and the legislative budget committee.

Sec. 12. K.S.A. 75-7237 is hereby amended to read as follows: 75-7237. As used in K.S.A. 75-7236 through 75-7243, and amendments thereto:

(a) "Act" means the Kansas cybersecurity act.

(b) "Breach" or "breach of security" means unauthorized access of data in electronic form containing personal information. Good faith access of personal information by an employee or agent of an executive branch agency does not constitute a breach of security, provided that the information is not used for a purpose unrelated to the business or subject to further unauthorized use.

(c) "CISO" means the executive branch chief information security officer.

(d) "Cybersecurity" is the body of information technologies, processes and practices designed to protect networks, computers, programs and data from attack, damage or unauthorized access.

(e) "Cybersecurity positions" do not include information technology positions within executive branch agencies.

(f) "Data in electronic form" means any data stored electronically or digitally on any computer system or other database and includes recordable tapes and other mass storage devices.

(g) "Executive branch agency" means any agency in the executive branch of the state of Kansas, but does not include elected office agencies, the adjutant general's department, the Kansas public employees retirement system, regents' institutions, or the board of regents.

(h) "KISO" means the Kansas information security office.

(i) (1) "Personal information" means:

(A) An individual's first name or first initial and last name, in combination with at least one of the following data elements for that individual:

- (i) Social security number;
  - (ii) driver's license or identification card number, passport number, military identification number or other similar number issued on a government document used to verify identity;
  - (iii) financial account number or credit or debit card number, in combination with any security code, access code or password that is necessary to permit access to an individual's financial account;
  - (iv) any information regarding an individual's medical history, mental or physical condition or medical treatment or diagnosis by a healthcare professional; or
  - (v) an individual's health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual; or
- (B) a user name or email address, in combination with a password or security question and answer that would permit access to an online account.

(2) "Personal information" does not include information:

(A) About an individual that has been made publicly available by a federal agency, state agency or municipality; or

(B) that is encrypted, secured or modified by any other method or technology that removes elements that personally identify an individual or that otherwise renders the information unusable.

(j) "State agency" means the same as defined in K.S.A. 75-7201, and amendments thereto.

Sec. 13. K.S.A. 75-7238 is hereby amended to read as follows: 75-7238. (a) There is hereby established the position of executive branch chief information security officer. The CISO shall be in the unclassified service under the Kansas civil service act, shall be appointed by the governor and shall receive compensation in an amount fixed by the governor.

(b) The CISO shall:

- (1) Report to the executive branch chief information technology officer;
- (2) serve as the state's CISO;
- (3) serve as the executive branch chief cybersecurity strategist and authority on policies, compliance, procedures, guidance and technologies impacting executive branch cybersecurity programs;
- (4) ensure Kansas information security office resources assigned or provided to executive branch agencies are in compliance with applicable laws and rules and regulations;
- (5) coordinate cybersecurity efforts between executive branch agencies;
- (6) provide guidance to executive branch agencies when compromise of personal information or computer resources has occurred or is likely to occur as the result of an identified high-risk vulnerability or threat; ~~and~~
- (7) set cybersecurity policy and standards for executive branch agencies; and
- (8) perform such other functions and duties as provided by law and as directed by the executive chief information technology officer.

Sec. 14. K.S.A. 75-7239 is hereby amended to read as follows: 75-7239. (a) There is hereby established within and as a part of the office of information technology

services the Kansas information security office. The Kansas information security office shall be administered by the CISO and be staffed appropriately to effect the provisions of the Kansas cybersecurity act.

(b) For the purpose of preparing the governor's budget report and related legislative measures submitted to the legislature, the Kansas information security office, established in this section, shall be considered a separate state agency and shall be titled for such purpose as the "Kansas information security office." The budget estimates and requests of such office shall be presented as from a state agency separate from the ~~department of administration office of information technology services~~, and such separation shall be maintained in the budget documents and reports prepared by the director of the budget and the governor, or either of them, including all related legislative reports and measures submitted to the legislature.

(c) Under direction of the CISO, the KISO shall:

- (1) Administer the Kansas cybersecurity act;
- (2) assist the executive branch in developing, implementing and monitoring strategic and comprehensive information security risk-management programs;
- (3) facilitate executive branch information security governance, including the consistent application of information security programs, plans and procedures;
- (4) using standards adopted by the information technology executive council, create and manage a unified and flexible control framework to integrate and normalize requirements resulting from applicable state and federal laws, and rules and regulations;
- (5) facilitate a metrics, logging and reporting framework to measure the efficiency and effectiveness of state information security programs;
- (6) provide the executive branch strategic risk guidance for information technology projects, including the evaluation and recommendation of technical controls;
- (7) assist in the development of executive branch agency cybersecurity programs ~~that are in to ensure compliance with applicable state and federal laws and~~ rules and regulations, executive branch policies and standards and policies and standards adopted by the information technology executive council;
- (8) perform audits of executive branch agencies for compliance with applicable state and federal laws, rules and regulations, executive branch policies and standards and policies and standards adopted by the information technology executive council;
- (9) coordinate the use of external resources involved in information security programs, including, but not limited to, interviewing and negotiating contracts and fees;
- ~~(9)~~(10) liaise with external agencies, such as law enforcement and other advisory bodies as necessary, to ensure a strong security posture;
- ~~(10)~~(11) assist in the development of plans and procedures to manage and recover business-critical services in the event of a cyberattack or other disaster;
- ~~(11)~~(12) assist executive branch agencies to create a framework for roles and responsibilities relating to information ownership, classification, accountability and protection;
- ~~(12)~~(13) ensure a cybersecurity training program is provided to executive branch agencies at no cost to the agencies awareness training program is made available to all branches of state government;
- ~~(13)~~ provide cybersecurity threat briefings to the information technology executive council;
- ~~(14)~~ provide an annual status report of executive branch cybersecurity programs of

executive branch agencies to the joint committee on information technology and the house committee on government, technology and security; and

~~(15)~~(14) perform such other functions and duties as provided by law and as directed by the CISO.

(d) Results of audits conducted pursuant to subsection (c)(8) shall be confidential and shall not be subject to discovery or disclosure pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2028, unless the legislature reviews and acts to continue such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

Sec. 15. K.S.A. 75-7240 is hereby amended to read as follows: 75-7240. (a) The executive branch agency heads shall:

~~(a)~~(1) Be solely responsible for security of all data and information technology resources under such agency's purview, irrespective of the location of the data or resources. Locations of data may include:

~~(1)~~(A) Agency sites;

~~(2)~~(B) agency real property;

~~(3)~~(C) infrastructure in state data centers;

~~(4)~~(D) third-party locations; and

~~(5)~~(E) in transit between locations;

~~(b)~~(2) ensure that an agency-wide information security program is in place;

~~(c)~~(3) designate an information security officer to administer the agency's information security program that reports directly to executive leadership;

~~(d)~~(4) participate in CISO-sponsored statewide cybersecurity program initiatives and services;

~~(e)~~(5) implement policies and standards to ensure that all the agency's data and information technology resources are maintained in compliance with applicable state and federal laws and rules and regulations;

~~(f)~~(6) implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and information technology resources;

~~(g)~~(7) include all appropriate cybersecurity requirements in the agency's request for proposal specifications for procuring data and information technology systems and services;

~~(h)~~~~(1)~~(8) (A) submit a cybersecurity ~~assessment~~ self-assessment report to the CISO by October 16 of each even-numbered year, including an executive summary of the findings, that assesses the extent to which ~~a computer, a computer program, a computer network, a computer system, a printer, an interface to a computer system, including mobile and peripheral devices, computer software, or the data processing of the agency or of a contractor~~ of the agency is vulnerable to unauthorized access or harm, including the extent to which the agency's or contractor's electronically stored information is vulnerable to alteration, damage, erasure or inappropriate use;

~~(2)~~(B) ensure that the agency conducts annual internal assessments of its security program. Internal assessment results shall be considered confidential and shall not be subject to discovery by or release to any person or agency, outside of the KISO or CISO, without authorization from the executive branch agency director or head. This provision regarding confidentiality shall expire on July 1, 2023, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023; and

~~(3)(C)~~ prepare or have prepared a summary financial summary identifying cybersecurity expenditures addressing the findings of the cybersecurity assessment self-assessment report required in paragraph (1) subparagraph (A), excluding information that might put the data or information resources of the agency or its contractors at risk and submit such report to the house of representatives committee on ~~government, technology and security or its successor committee~~ appropriations and the senate committee on ways and means;

~~(i)~~ participate in annual agency leadership training to ensure understanding of: (1) The information and information systems that support the operations and assets of the agency; (2) The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets; (3) how cyberattacks and data breaches on the agency's operations and assets could impact the operations and assets of other governmental entities on the state enterprise network; (4) how cyberattacks and data breaches occur; (5) steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems; and (6) the annual reporting requirements required of the executive director or agency head; and

~~(j)(9)~~ ensure that if an agency owns, licenses or maintains computerized data that includes personal information, confidential information or information, the disclosure of which is regulated by law, such agency shall, in the event of a breach or suspected breach of system security or an unauthorized exposure of that information:

~~(A)~~ Comply with the notification requirements set out in K.S.A. 2022 Supp. 50-7a01 et seq., and amendments thereto, and applicable federal laws and rules and regulations, to the same extent as a person who conducts business in this state; and

~~(2)(B)~~ not later than 48 hours after the discovery of the breach, suspected breach or unauthorized exposure, notify: ~~(A)(i)~~ The CISO; and ~~(B)(ii)~~ if the breach, suspected breach or unauthorized exposure involves election data, the secretary of state.

~~(b)~~ The director or head of each state agency shall:

~~(1)~~ Participate in annual agency leadership training to ensure understanding of:

~~(A)~~ The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets;

~~(B)~~ how cyberattacks and data breaches on the agency's operations and assets may impact the operations and assets of other governmental entities on the state enterprise network;

~~(C)~~ how cyberattacks and data breaches occur; and

~~(D)~~ steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems;

~~(2)~~ ensure that all information technology login credentials are disabled the same day that any employee ends their employment with the state; and

~~(3)~~ require that all employees with access to information technology receive a minimum of one hour of information technology security training per year.

~~(c)(1)~~ The CISO, with input from the joint committee on information technology and the joint committee on Kansas security, shall develop a self-assessment report template for use under subsection (a)(8)(A). The most recent version of such template shall be made available to state agencies prior to July 1 of each even-numbered year. The CISO shall aggregate data from the self-assessments received under subsection (a)(8)(A) and provide a summary of such data to the joint committee on information technology and the joint committee on Kansas security.

(2) Self-assessment reports made to the CISO pursuant to subsection (a)(8)(A) shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2028, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

Sec. 16. K.S.A. 75-7242 is hereby amended to read as follows: 75-7242. Information collected to effectuate this act shall be considered confidential by ~~the executive branch agency and KISO~~ all state and local governmental organizations unless all data elements or information that specifically identifies a target, vulnerability or weakness that would place the organization at risk have been redacted, including: (a) System information logs; (b) vulnerability reports; (c) risk assessment reports; (d) system security plans; (e) detailed system design plans; (f) network or system diagrams; and (g) audit reports. The provisions of this section shall expire on July 1, 2023, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023.

Sec. 17. K.S.A. 46-2102, 74-5704, 75-7201, 75-7202, 75-7205, 75-7206, 75-7208, 75-7209, 75-7210, 75-7211, 75-7237, 75-7238, 75-7239, 75-7240 and 75-7242 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking "company" and inserting "information technology; requiring reporting of significant cybersecurity incidents; changing membership, terms and quorum requirements for the information technology executive council; relating to information technology projects and reporting requirements; information technology security training and cybersecurity reports; duties of the chief information security officer; requiring certain information to be provided to the joint committee on information technology; amending K.S.A. 46-2102, 74-5704, 75-7201, 75-7202, 75-7205, 75-7206, 75-7208, 75-7209, 75-7210, 75-7211, 75-7237, 75-7238, 75-7239, 75-7240 and 75-7242 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICK BILLINGER

J R CLAEYS

PAT PETTEY

*Conferees on part of Senate*

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

*Conferees on part of House*

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2019**.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher,

Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2024** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 10, by inserting:

"New Section 1. (a) (1) When an investigation of child abuse or neglect conducted pursuant to K.S.A. 38-2226, and amendments thereto, includes a CARE referral that a child abuse medical resource center has recommended a CARE exam be conducted and the CARE provider determines a child has been subjected to physical abuse, emotional abuse, medical neglect or physical neglect, such determination shall be reported in a completed review and provided to the secretary for children and families and the local law enforcement agency or the agency's designee.

(2) When the secretary receives a completed review pursuant to paragraph (1), the secretary shall consider and include the completed review in making recommendations regarding the care, safety and placement of the child and maintain the completed review in the case record.

(3) Reviews conducted pursuant to paragraph (1) shall be confidential and not be disclosed except as provided in this section and K.S.A. 38-2209 through 38-2213, and amendments thereto.

(b) To provide forensic evaluation services to a child alleged to be a victim of physical abuse, emotional abuse, medical neglect or physical neglect in investigations that include a CARE exam:

(1) Child abuse medical resource centers may collaborate directly or through technology with CARE providers to provide forensic medical evaluations, medical training, support, mentoring and peer review to enhance the skill and role of child abuse medical resource centers and the CARE providers in a multidisciplinary context;

(2) CARE providers and child abuse medical resource centers shall provide and receive specialized training for medical evaluations conducted in a hospital, child advocacy center or by a private healthcare professional without the need for an agreement between such center and provider; and

(3) the CARE network shall develop recommendations concerning the medical-based screening process and forensic evidence collection for a child and provide such recommendations to CARE providers, child advocacy centers, hospitals and licensed practitioners.

(c) To implement and administer this section, the secretary of health and environment shall:

(1) Provide training for CARE providers to establish and maintain compliance with the requirements of K.S.A. 38-2202, and amendments thereto;

(2) assist in the implementation of subsection (b);  
 (3) pay for and manage a network referral system database; and  
 (4) adopt rules and regulations as necessary, subject to available appropriations.  
 (d) (1) A provider shall submit all charges for payment of reviews and CARE exams to the secretary of health and environment within 90 days after a review or exam has been performed.

(2) The secretary of health and environment shall pay all charges directly to the provider within 30 days after being submitted.

(3) The payment amount shall be for the exam at the rate not to exceed \$750 for providing such exam, excluding costs for treatment that may be required due to the diagnosis, or any facility fees, supplies or laboratory or radiology testing.

(4) If a provider is found to have submitted fraudulent charges, such provider shall be banned from the CARE network and the secretary of health and environment shall report such incident to the provider's licensing board. Such licensing board shall investigate such report to determine whether unprofessional conduct has occurred.

(5) On or before January 31, 2024, the secretary of health and environment shall prepare and present a report to the house of representatives standing committee on child welfare and foster care and the senate standing committee on public health and welfare, or their successor committees, of the activities and operations under this section. Such report shall include:

- (A) The number of providers who have submitted charges;
- (B) the number of reviews and CARE exams performed;
- (C) average charge submitted per review and CARE exam;
- (D) total amount paid out to providers;
- (E) the average number of days between when:
  - (i) A review or CARE exam is performed and charges are submitted; and
  - (ii) charges are submitted and paid to a provider; and
- (F) any findings of fraudulent charges.

(e) There is hereby established in the state treasury the child abuse review and evaluation fund, and such fund shall be administered by the secretary of health and environment. All expenditures from the child abuse review and evaluation fund shall be for payments of reviews, CARE exams, training of CARE providers and the implementation and administration of subsection (b), as needed. All expenditures from the child abuse review and evaluation fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. All moneys received for reviews, CARE exams and CARE provider training shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the child abuse review and evaluation fund.

(f) This section shall be a part of and supplemental to the revised Kansas code for care of children.

New Sec. 2. (a) This section shall be known and may be cited as the Representative Gail Finney memorial foster care bill of rights.

(b) Consistent with the policy of the state expressed in K.S.A. 38-2201 et seq., and amendments thereto, in order to ensure proper care and protection of a child in need of

care in the child welfare system, unless otherwise ordered by the court, such child shall have the right to:

(1) Live in a safe, comfortable placement, in accordance with K.S.A. 38-2255, and amendments thereto:

(A) Where such child lives in the least restrictive environment;

(B) where such child shall be treated with respect, have a place to store belongings and receive healthy food, adequate clothing and appropriate personal hygiene products;

(C) with siblings when possible; and

(D) upon proper investigation and consideration in accordance with K.S.A. 38-2242, and amendments thereto, with a relative, kinship care placement or someone from such child's community with similar religious beliefs or ethnic heritage;

(2) have visits with family;

(3) have as few placements as possible;

(4) have and maintain belongings by:

(A) Making a list of belongings to have when placed out of home;

(B) providing such list of belongings to such child's case manager;

(C) bringing such belongings when placed out of home; and

(D) if going on a visit or to a new placement, having belongings packed and transportable for the visit or move;

(5) have access to all appropriate school supplies, services, tutoring, extra-curricular, cultural and personal enrichment activities;

(6) attend school daily in accordance with K.S.A. 38-2218, and amendments thereto;

(7) receive a high school diploma if such child has earned the standard credits in accordance with K.S.A. 38-2285, and amendments thereto;

(8) be notified of all hearings held pursuant to the revised Kansas code for care of children, when age or developmentally appropriate;

(9) attend, in person or virtually, all court hearings held pursuant to the revised Kansas code for care of children, when age or developmentally appropriate;

(10) address the court regarding any proposed placement or placement change in accordance with K.S.A. 38-2262, and amendments thereto, when age or developmentally appropriate;

(11) have a guardian ad litem represent the best interests of the child, in accordance with K.S.A. 38-2205, and amendments thereto, and contact such child regularly;

(12) request an attorney who will represent the position of the child, if different than the determinations of the guardian ad litem, in accordance with K.S.A. 38-2205, and amendments thereto;

(13) have privacy to send and receive unopened mail and make and receive phone calls;

(14) have regular and private contact with and access to case managers, attorneys and advocates;

(15) access accurate and necessary information for such child's well-being from case managers, guardians and any person who is by law liable to maintain, care for or support the child;

(16) have as few changes in case managers as possible;

(17) contact a case manager's supervisor if there is a conflict that cannot be resolved between such child and such child's case manager;

(18) report a violation of this section without fear of punishment, interference, coercion or retaliation; and

(19) when transitioning out of the child welfare system:

(A) Be an active participant in developing a transition plan, as defined in K.S.A. 38-2202, and amendments thereto;

(B) have services and benefits explained;

(C) have a checking or savings account;

(D) learn to manage money, when age or developmentally appropriate;

(E) learn job skills that are age or developmentally appropriate; and

(F) be involved in life skills training and activities.

(c) Consistent with the policy of the state expressed in K.S.A. 38-2201 et seq., and amendments thereto, in order to ensure active participation of foster parents and kinship caregivers as an integral, indispensable and vital role in the state's efforts to care for children in the custody of the secretary, unless otherwise ordered by the court, such foster parents and kinship caregivers shall have the right to:

(1) Be treated by the Kansas department for children and families and other child welfare system stakeholders with dignity, respect and trust as a primary provider of care and support and a member of the professional team caring for a child in the custody of the secretary;

(2) not be discriminated in accordance with the Kansas act against discrimination, K.S.A. 44-1001, et seq., and amendments thereto, and federal law;

(3) continue with such foster parents' and kinship caregivers' own family values and beliefs with consideration given to the special needs of children who have experienced trauma and separation from their biological families, if the values and beliefs of the child and the biological family are respected and not infringed upon;

(4) make decisions concerning the child consistent with the policies, procedures and other directions of the Kansas department for children and families and within the limits of state and federal law;

(5) receive standardized preservice training by the Kansas department for children and families or the department's designee and at appropriate intervals to meet mutually assessed needs of the child, such foster parents and kinship caregivers;

(6) receive timely financial reimbursement and be notified of any costs or expenses for which such foster parents and kinship caregivers may be eligible for reimbursement in accordance with K.S.A. 38-2216, and amendments thereto;

(7) receive information regarding services and contact the Kansas department for children and families or the department's designee during regular business hours and, in the event of an emergency, by telephone after business hours;

(8) receive any information on issues concerning the child and known to the Kansas department for children and families or the department's designee that is relevant to the care of the child or that may jeopardize the health and safety of the foster family, the kinship care placement or the child or alter the manner in which care and services should be administered prior to the placement of such child;

(9) discuss known information regarding the child prior to placement and be provided additional information from the Kansas department for children and families or the department's designee as such information becomes available under state and federal law;

(10) refuse placement of a child in such foster parents' and kinship caregivers'

home or request the removal of a child from such foster parents' and kinship caregivers' home after providing reasonable notice;

(11) receive any available information through the Kansas department for children and families regarding the number of times a child has been placed and the reasons for such placements, and receive the names and phone numbers of any previous placements if such placements have authorized such a release by law;

(12) receive information from the Kansas department for children and families that is relevant to the care of a child when the child is placed with such foster parents and kinship caregivers;

(13) provide input and participate in the case planning process for the child and participate in and be informed about the planning of visitation between the child and the child's biological family, recognizing that visitation with the child's biological family is important, in accordance with K.S.A. 38-2255, and amendments thereto;

(14) communicate with the child's child welfare case management provider and share and obtain relevant and appropriate information regarding such child's placement;

(15) communicate with members of the child's professional team, including, but not limited to, such child's child welfare management provider, therapists, physicians and teachers as allowed by rules and regulations and state and federal law, for the purpose of participating in such child's case plan;

(16) be notified in advance of any court hearing or review where the case plan or permanency of the child is an issue, including periodic reviews held by the court, in accordance with the revised Kansas code for care of children;

(17) be considered as a placement option, if a child who was formerly placed with such parents or kinship caregivers is in the custody of the secretary again;

(18) continue contact and communication with a child subsequent to the child's placement from such foster parents' and kinship caregivers' home, subject to the approval of the child and the child's biological parents, if such biological parents' rights have not been terminated;

(19) direct questions to the Kansas department for children and families regarding information, concerns, policy violations and a corrective action plan relating to licensure as a family foster home;

(20) have the rights described in this section be given full consideration when the Kansas department for children and families develops and approves policies regarding placement and permanency;

(21) submit a report to the court pursuant to K.S.A. 38-2261, and amendments thereto; and

(22) request a court hearing regarding a change of placement notice pursuant to K.S.A. 38-2258, and amendments thereto, if a child has been placed with the same foster parents for six months or longer.

(d) (1) The secretary shall provide written and oral notification to foster youth, foster parents and kinship caregivers of the rights created under this section and information for filing complaints.

(2) The secretary shall make a list of the rights created under this section digitally available on the secretary's website.

(3) Each child welfare management provider shall make available physical and digital copies of a list of the rights created under this section.

(e) This section shall not be construed to create a private right of action

independent of the revised Kansas code for care of children, but may be enforced through equitable relief as a part of the corresponding case under the revised Kansas code for care of children.

(f) This section shall be a part of and supplemental to the revised Kansas code for care of children.";

Also on page 1, by striking all in lines 30 through 32;

By striking all on page 2;

On page 3, by striking all in lines 1 through 12; following line 12, by inserting:

"Sec. 4. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, ~~K.S.A. 74-8810(j)~~, ~~K.S.A. 79-3321(m)~~ or (n), or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected,

or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(e) "Child abuse medical resource center" means a medical institution affiliated with an accredited children's hospital or a recognized institution of higher education that has an accredited medical school program with board-certified child abuse pediatricians who provide training, support, mentoring and peer review to CARE providers on CARE exams.

(f) "Child abuse review and evaluation exam" or "CARE exam" means a forensic medical evaluation of a child alleged to be a victim of abuse or neglect conducted by a CARE provider.

(g) "Child abuse review and evaluation network" or "CARE network" means a network of CARE providers, child abuse medical resource centers and any medical provider associated with a child advocacy center that has the ability to conduct a CARE exam that collaborate to improve services provided to a child alleged to be a victim of abuse or neglect.

(h) "Child abuse review and evaluation provider" or "CARE provider" means a person licensed to practice medicine and surgery, advanced practice registered nurse or licensed physician assistant who performs CARE exams of and provides medical diagnosis and treatment to a child alleged to be a victim of abuse or neglect and who receives:

(1) Kansas-based initial intensive training regarding child maltreatment from the CARE network;

(2) continuous trainings on child maltreatment from the CARE network; and

(3) peer review and new provider mentoring regarding medical evaluations from a child abuse medical resource center.

(i) "Child abuse review and evaluation referral" or "CARE referral" means a brief written review of allegations of physical abuse, emotional abuse, medical neglect or physical neglect submitted by the secretary or law enforcement agency to a child abuse medical resource center for a recommendation of such child's need for medical care that may include a CARE exam.

(j) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

~~(k)~~ (k) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas

Statutes Annotated, and amendments thereto, guardians and conservators.

~~(g)~~(l) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

~~(h)~~(m) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

~~(i)~~(n) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child's home.

~~(j)~~(o) "Educational institution" means all schools at the elementary and secondary levels.

~~(k)~~(p) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

~~(l)~~(q) "Harm" means physical or psychological injury or damage.

~~(m)~~(r) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

~~(n)~~(s) "Jail" means:

- (1) An adult jail or lockup; or
- (2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

~~(o)~~(t) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

~~(p)~~(u) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

~~(q)~~(v) "Kinship care placement" means the placement of a child in the home of an adult with whom the child or the child's parent already has close emotional ties.

~~(r)~~(w) "Kinship caregiver" means an adult who the secretary has selected for placement for a child in need of care with whom the child or the child's parent already has close emotional ties.

~~(s)~~(x) "Law enforcement officer" means any person who by virtue of office or

public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

~~(s)~~(y) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

~~(t)~~(z) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

~~(u)~~(aa) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

~~(v)~~(bb) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

~~(w)~~(cc) "Permanency goal" means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

~~(x)~~(dd) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

~~(y)~~(ee) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

~~(z)~~(ff) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

~~(aa)~~(gg) "Qualified residential treatment program" means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

~~(bb)~~(hh) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

~~(ee)~~(ii) "Relative" means a person related by blood, marriage or adoption.

~~(de)~~(jj) "Runaway" means a child who is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian.

~~(ee)~~(kk) "Secretary" means the secretary for children and families or the secretary's designee.

~~(ff)~~(ll) "Secure facility" means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

~~(gg)~~(mm) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

- (1) Be photographed, filmed or depicted in pornographic material; or
- (2) be subjected to aggravated human trafficking, as defined in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2022 Supp. 21-6419 or 21-6422, and amendments thereto.

~~(hh)~~(nn) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

~~(ii)~~(oo) "Staff secure facility" means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

~~(jj)~~(pp) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

~~(kk)~~(qq) "Youth residential facility" means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.";

On page 2, in line 15, after the semicolon, by inserting "the Representative Gail Finney memorial foster care bill of rights, section 2, and amendments thereto;"

On page 3, following line 12, by inserting:

Sec. 6. K.S.A. 38-2226 is hereby amended to read as follows: 38-2226. (a)

*Investigation for child abuse or neglect.* The secretary and law enforcement officers shall have the duty to receive and investigate reports of child abuse or neglect for the purpose of determining whether the report is valid and whether action is required to protect a child. Any person or agency which maintains records relating to the involved child which are relevant to any investigation conducted by the secretary or law enforcement agency under this code shall provide the secretary or law enforcement agency with the necessary records to assist in investigations. In order to provide such records, the person or agency maintaining the records shall receive from the secretary or law enforcement: (1) A written request for information; and (2) a written notice that the investigation is being conducted by the secretary or law enforcement. If the secretary and such officers determine that no action is necessary to protect the child but that a criminal prosecution should be considered, such law enforcement officers shall make a report of the case to the appropriate law enforcement agency.

(b) *Joint investigations.* When a report of child abuse or neglect indicates: (1) That there is serious physical harm to, serious deterioration of or sexual abuse of the child; and (2) that action may be required to protect the child, the investigation shall be conducted as a joint effort between the secretary and the appropriate law enforcement agency or agencies, with a free exchange of information between them pursuant to K.S.A. 38-2210, and amendments thereto. If a statement of a suspect is obtained by either agency, a copy of the statement shall be provided to the other.

(c) *Investigation of certain cases.* Suspected child abuse or neglect which occurs in an institution operated by the Kansas department of corrections shall be investigated by the attorney general or secretary of corrections. Any suspected child abuse or neglect in an institution operated by the Kansas department for aging and disability services, or by persons employed by the Kansas department for aging and disability services or the Kansas department for children and families, or of children of persons employed by either department, shall be investigated by the appropriate law enforcement agency.

(d) *Coordination of investigations by county or district attorney.* If a dispute develops between agencies investigating a reported case of child abuse or neglect, the appropriate county or district attorney shall take charge of, direct and coordinate the investigation.

(e) *Investigations concerning certain facilities.* Any investigation involving a facility subject to licensing or regulation by the secretary of health and environment shall be promptly reported to the state secretary of health and environment.

(f) *Cooperation between agencies.* Law enforcement agencies and the secretary shall assist each other in taking action which is necessary to protect a child regardless of which agency conducted the initial investigation.

(g) *Cooperation between school personnel and investigative agencies.* (1) Educational institutions, the secretary and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. The secretary and law enforcement agencies shall have access to a child in a setting designated by school personnel on the premises of an educational institution. Attendance at an interview conducted on such premises shall be at the discretion of the agency conducting the interview, giving consideration to the best interests of the child. To the extent that safety and practical considerations allow, law enforcement officers on such premises for the purpose of investigating a report of suspected child abuse or neglect shall not be in uniform.

(2) The secretary or a law enforcement officer may request the presence of school personnel during an interview if the secretary or officer determines that the presence of such person might provide comfort to the child or facilitate the investigation.

(h) *Visual observation required.* As part of any investigation conducted pursuant to this section, the secretary, ~~or the secretary's designee~~, or the law enforcement agency, or such agency's designee, that is conducting the investigation shall visually observe the child who is the alleged victim of abuse or neglect. In the case of a joint investigation conducted pursuant to subsection (b), the secretary and the investigating law enforcement agency, or the designees of the secretary and such agency, shall both visually observe the child who is the alleged victim of abuse or neglect. All investigation reports shall include the date, time and location of any visual observation of a child that is required by this subsection.

(i) *Child abuse review and evaluation referrals.* (1) Upon investigation by law enforcement or assignment by the secretary of any investigation of physical abuse or physical neglect conducted pursuant to this section that concerns a child five years of age or younger, the secretary, the law enforcement agency or the agency's designee shall make a CARE referral for such child.

(2) In any other investigation of physical abuse, emotional abuse, medical neglect or physical neglect conducted pursuant to this section, the secretary, the law enforcement agency or the agency's designee may make a CARE referral for such child.

Sec. 7. K.S.A. 38-2258 is hereby amended to read as follows: 38-2258. (a) Except as provided in K.S.A. 38-2255(d)(2) and 38-2259, and amendments thereto, if a child has been in the same foster home, kinship care placement or shelter facility for six months or longer, or has been placed by the secretary in the home of a parent or relative, the secretary shall give written notice of any plan to move the child to a different placement unless the move is to the selected preadoptive family for the purpose of facilitating adoption. The notice shall be given to: (1) The court having jurisdiction over the child; (2) the petitioner; (3) the attorney for the parents, if any; (4) each parent whose address is available; (5) the foster parent or custodian from whose home or shelter facility it is proposed to remove the child; (6) the child, if 12 or more years of age; (7) the child's guardian ad litem; (8) any other party or interested party; and (9) the child's court appointed special advocate.

(b) The notice shall state the placement to which the secretary plans to transfer the child and the reason for the proposed action. The notice shall be mailed by first class mail 30 days in advance of the planned transfer, except that the secretary shall not be required to wait 30 days to transfer the child if all persons enumerated in subsection (a) (2) through (8) consent in writing to the transfer.

(c) Within 14 days after receipt of the notice, any person enumerated in subsection (a)(2) through (8) receiving notice as provided above may request, either orally or in writing, that the court conduct a hearing to determine whether or not the change in placement is in the best interests of the child concerned. When the request has been received, the court shall schedule a hearing and immediately notify the secretary of the request and the time and date the matter will be heard. The court shall give notice of the hearing to persons enumerated in subsection (a)(2) through (9). If the court does not receive a request for hearing within the specified time, the change in placement may occur prior to the expiration of the 30 days. The secretary shall not change the placement of the child, except for the purpose of adoption, unless the change is

approved by the court.

(d) When, after the notice set out above, a child in the custody of the secretary is removed from the home of a parent after having been placed in the home of a parent for a period of six months or longer, the secretary shall request a finding that:

(1) (A) The child is likely to sustain harm if not immediately removed from the home;

(B) allowing the child to remain in home is contrary to the welfare of the child; or

(C) immediate placement of the child is in the best interest of the child; and

(2) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(e) The secretary shall present to the court in writing the efforts to maintain the family unit and prevent the unnecessary removal of the child from the child's home. In making the findings, the court may rely on documentation submitted by the secretary or may set the date for a hearing on the matter. If the secretary requests such finding, the court, not more than 45 days from the date of the request, shall provide the secretary with a written copy of the findings by the court for the purpose of documenting these orders.

Sec. 8. K.S.A. 38-2261 is hereby amended to read as follows: 38-2261. The secretary shall notify the foster parent or ~~parents~~ kinship caregivers that the foster parent or ~~parents~~ kinship caregivers have a right to submit a report. Copies of the report shall be available to the parties and interested parties. The report made by foster parents shall be on a form created and provided by the Kansas department for children and families.";

On page 7, in line 40, after the first "K.S.A." by inserting "38-2202,"; also in line 40, after "38-2203" by inserting ", 38-2226, 38-2258, 38-2261";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "the" by inserting revised Kansas code for care of children, federal Indian child welfare act,"; in line 2, after the semicolon by inserting "relating to procedures in investigations of child abuse or neglect; requiring a child abuse review and evaluation referral; creating a program in the department of health and environment for the training and payment for child abuse reviews and exams; enacting the Representative Gail Finney memorial foster care bill of rights; granting rights to kinship caregivers under the revised Kansas code for care of children,"; in line 6, after "K.S.A." by inserting "38-2202,"; also in line 6, after "38-2203" by inserting ", 38-2226, 38-2258, 38-2261";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

*Conferees on part of Senate*

SUSAN CONCANNON

TIMOTHY JOHNSON

JARROD OUSLEY

*Conferees on part of House*

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2024**.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

Present and Passing: Steffen.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2094** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 40; following line 40, by inserting:

"Section 1. K.S.A. 2022 Supp. 39-709 is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any

additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion; or

(2) is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, "family group" or "household" means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for 24 calendar months beginning on and after October 1, 1996, unless the secretary determines a hardship exists and grants an extension allowing receipt of TANF until the 36-month limit is reached. No extension beyond 36 months shall be granted. Hardship provisions for a recipient include:

(A) Is a caretaker of a disabled family member living in the household;

(B) has a disability that precludes employment on a long-term basis or requires substantial rehabilitation;

(C) needs a time limit extension to overcome the effects of domestic violence/~~sexual violence or sexual~~ assault;

(D) is involved with prevention and protection services and has an open social service plan; or

(E) is determined by the 24<sup>th</sup> month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through (D). This determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include that the applicant:

(A) Can document an existing certification verifying completion of the work program assessment;

(B) has a valid offer of employment or is employed a minimum of 20 hours a week;

- (C) is a parenting teen without a GED or high school diploma;
- (D) is enrolled in job corps;
- (E) is working with a refugee social services agency; or
- (F) has completed the work program assessment within the last 12 months.

(3) The Kansas department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) (A) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary.

(B) In order to meet federal work participation requirements, households shall meet at least 30 hours of participation per week, at least 20 hours of which shall be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households, 35 hours per week if child care is not used. The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate, both parents shall participate in a combined total of 55 hours per week, 50 hours of which shall be in primary components, or one or both parents could be assigned a combined total of 35 hours per week, 30 hours of which must be primary components, if the Kansas department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component.

(C) The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the age of three months in their TANF household shall be exempt from work participation activities until the month the child attains three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed by:

(A) Either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent.

Such person shall become exempt the month such person attains 20 years of age; or

(D) any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per 24-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. A TANF participant shall provide current documentation by a qualified medical practitioner that details the ability to engage in employment and any limitation in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with work programs shall be as follows, for a:

- (A) First penalty, three months and full cooperation with work program activities;
- (B) second penalty, six months and full cooperation with work program activities;
- (C) third penalty, one year and full cooperation with work program activities; and
- (D) fourth or subsequent penalty, 10 years.

(9) Individuals who have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods are three months, six months, one year, or 10 years.

~~(10)(A) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for child care subsidy or TANF benefits based on parents' non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with child support services shall be as follows, for a:~~

~~(A)(i) First penalty, three months and cooperation with child support services prior to regaining eligibility;~~

~~(B)(ii) second penalty, six months and cooperation with child support services prior to regaining eligibility;~~

~~(C)(iii) third penalty, one year and cooperation with child support services prior to regaining eligibility; and~~

~~(D)(iv) fourth penalty, 10 years.~~

(B) (i) The period of ineligibility for child care subsidy based on parents' non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with child support services shall be as follows, for a:

(a) First penalty, three months and cooperation with child support services prior to regaining eligibility;

(b) second penalty, six months and cooperation with child support services prior to

regaining eligibility:

(c) third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(d) fourth penalty, 10 years.

(ii) The secretary, or the secretary's designee, shall review child support compliance of a parent:

(a) Upon application for child care subsidy:

(b) after 12 months of continuous eligibility for child care subsidy; and

(c) following such 12 months of continuous eligibility when the secretary renews or redetermines a parent's eligibility for child care subsidy.

(11) Individuals who have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) (A) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2022 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2022 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2022 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(B) Any individual who has failed to cooperate with a fraud investigation shall be ineligible to participate in the TANF cash assistance program and the child care subsidy program until the Kansas department for children and families determines that such individual is cooperating with the fraud investigation. The Kansas department for children and families shall maintain a sufficient level of fraud investigative staff to enable the department to conduct fraud investigations in a timely manner and in full accordance with state law and department rules and regulations or policies.

(13) (A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, that includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if such individual has been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog.

(B) (i) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(ii) An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas.

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(D) The Kansas department for children and families shall monitor all recipient requests for a Kansas benefits card replacement and, upon the fourth such request in a 12-month period, send a notice alerting the recipient that the recipient's account is being monitored for potential suspicious activity. If a recipient makes an additional request for replacement subsequent to such notice, the department shall refer the investigation to the department's fraud investigation unit.

(16) The secretary for children and families shall adopt rules and regulations for:

(A) Determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented

physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED;

(iv) adults who are participants in a food assistance employment and training program;

(v) adults who are participants in an early head start child care partnership program and are working or in school or training; or

(vi) adults who are caretakers of a child in custody of the secretary in out-of-home placement needing child care.

The Kansas department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the United States department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) (A) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the United States department of agriculture for the time limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(B) Each food assistance household member who is not otherwise exempt from the following work requirements shall: Register for work; participate in an employment and training program, if assigned to such a program by the department; accept a suitable employment offer; and not voluntarily quit a job of at least 30 hours per week.

(C) Any recipient who has not complied with the work requirements under subparagraph (B) shall be ineligible to participate in the food assistance program for the following time period and until the recipient complies with such work requirements for a:

(i) First penalty, three months;

(ii) second penalty, six months; and

(iii) third penalty and any subsequent penalty, one year.

(D) The Kansas department for children and families shall assign all individuals subject to the requirements established under 7 U.S.C. § 2015(d)(1) to an employment and training program as defined in 7 U.S.C. § 2015(d)(4). The provisions of this subparagraph shall only apply to:

- (i) Able-bodied adults aged 18 through 49 without dependents; ~~and~~
- (ii) work registrants aged 50 through 59 without dependents not exempt from 7 U.S.C. § 2015(d)(2); and
- (iii) individuals who are not employed at least 30 hours per week.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by United States department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the United States department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining household members.

(19) The secretary for children and families shall not enact the state option from the United States department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2015(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2015(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) (1) The Kansas department for children and families shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. For TANF cash assistance, food assistance and the child care subsidy program, the department shall verify the identity of all adults in the assistance household.

(2) The department of administration shall provide monthly to the Kansas department for children and families the social security numbers or alternate taxpayer identification numbers of all persons who claim a Kansas lottery prize in excess of \$5,000 during the reported month. The Kansas department for children and families shall verify if individuals with such winnings are receiving TANF cash assistance, food assistance or assistance under the child care subsidy program and take appropriate

action. The Kansas department for children and families shall use data received under this subsection solely, and for no other purpose, to determine if any recipient's eligibility for benefits has been affected by lottery prize winnings. The Kansas department for children and families shall not publicly disclose the identity of any lottery prize winner, including recipients who are determined to have illegally received benefits.

(d) *Temporary assistance for needy families; assignment of support rights and limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

(e) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%,

then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act, public law 111-148, 124 stat. 119, and the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to, and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless:

(i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and

(ii) the trust is funded:

(a) From resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or

(b) not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, "public assistance" includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met:

(i) The contract, agreement or accord must be in writing and executed prior to any services being provided;

(ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals;

(iii) if no similarly situated nonlicensed individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards;

(iv) such individual providing the services shall report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies;

(v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered;

(vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and

(vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

(f) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

(g) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.* (1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical

support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection (e) is a claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both and a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, 17-2263 or 17-2264, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection (e) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection (e) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to

the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes without limitation, assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien.

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

(A) After the death of the surviving spouse of the recipient;

(B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;

(C) when there is no adult child of the recipient, natural or adopted, who is blind or

disabled residing in the home; or

(D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

(h) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable

instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

(i) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

(j) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

(k) By applying for or receiving child care ~~benefits subsidy~~ or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care ~~benefits subsidy~~ or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of temporary assistance for needy families.

(l) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is

unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled

substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the designated individual indicating unlawful use of a controlled substance or controlled substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense that is classified as a felony by the law of the jurisdiction and has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense that is classified as a felony by the law of the jurisdiction and has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families ~~or~~, the results of any drug screening administered as part of the drug screening program authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments

thereto, and any rules and regulations adopted pursuant to such provisions.

(B) "Controlled substance" means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto.";

Also on page 3, in line 41, by striking "40-3203" and inserting "2022 Supp. 39-709"; in line 43, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the semicolon and inserting "public assistance; relating to child care assistance; non-cooperation with child support; requiring the secretary to conduct reviews of cooperation; requiring work registrants aged 50 through 59 to complete an employment and training program to receive food assistance; also in line 4, by striking "40-3203" and inserting "2022 Supp. 39-709";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE

RENEE ERICKSON

*Conferees on part of Senate*

FRANCIS AWERKAMP

LEAH HOWELL

*Conferees on part of House*

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2094**.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Tyson, Ware.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2234** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 12 through 34;

By striking all on page 2;

On page 3, by striking lines 1 through 20; following line 20, by inserting:

"New Section 1. Sections 1 through 8, and amendments thereto, shall be known and may be cited as the Kansas film and digital media production development act. The purpose of the Kansas film and digital media production development act is to incentivize film, video or digital media productions in Kansas and facilitate the

development and growth of a film, video or digital media production industry and associated businesses supporting the industry in this state.

New Sec. 2. As used in this act:

(a) "Above-the-line personnel" means any individual hired or credited on screen for an eligible production for work on the production or postproduction of film as a:

(1) Principal cast member compensated for the eligible production project at a screen actors guild schedule f or above payment rate; or

(2) producer, screenwriter or director.

(b) "Act" means the Kansas film and digital media production development act.

(c) "Affiliates" means those entities that are included in the production company's affiliated group as defined in section 1504(a) of the internal revenue code, 26 U.S.C. § 1504(a), and all other entities that are 50% or more owned, directly or indirectly, by members of the affiliated group.

(d) "Based in Kansas" or "Kansas-based" means, in reference to a vendor, production company or company, that the vendor, production company or company is subject to income tax liability under the Kansas income tax act and has a physical presence in Kansas and, with respect to a production company, has maintained a physical presence in Kansas for at least six months prior to submitting an application to the secretary pursuant to section 3, and amendments thereto.

(e) "Certified production" or "certified project" means an eligible production that has agreed to one or more qualified Kansas promotions and that has been approved by the secretary of commerce as eligible for tax incentives pursuant to the provisions of section 3, and amendments thereto.

(f) "Crew" means any individual who works on production or postproduction for an eligible production. "Crew" does not include above-the-line personnel.

(g) (1) "Eligible production" or "eligible project" means a production:

(A) (i) Of a new film, video or digital project, or a portion or portions of such project, produced in this state, including a feature film, documentary, series, pilot, movie for television, televised commercial advertisement, music video, video game, content-based mobile application or a virtual reality, augmented reality, multi-media or new media project;

(ii) produced in whole or in part, in short or in long form, and may include animation, music and green screen, motion capture and similar production techniques;

(iii) fixed on a delivery system including, but not limited to, film format or reels, videotape, computer drive or disc, laser disc or any element of the digital domain, from which the program or completed project is viewed or reproduced; and

(iv) intended for multimarket commercial distribution via theaters, video on demand, direct to DVD, streaming, digital platforms or electronic delivery systems designed for the distribution or playing of interactive games, licensing for exhibition by individual television stations, groups of stations, networks, advertiser-supported sites, cable television stations, streaming companies or public broadcasting stations; and

(B) that incurs or is reasonably anticipated to incur qualified production or postproduction expenses of at least \$50,000, as determined by the secretary.

(2) "Eligible production" or "eligible project" does not include:

(A) The coverage of news or athletic events, local advertising, local interest programming, instructional videos, corporate videos, any project that is not intended for multimarket commercial distribution or any portion of a project not shot, recorded or

created in Kansas; and

(B) any production of obscene material or an obscene performance as defined in K.S.A. 2022 Supp. 21-6401, and amendments thereto.

(3) For purposes of the income tax credit as allowed under section 4(f), and amendments thereto, "eligible production" or "eligible project" means the same as defined in paragraphs (1) and (2), except that a production not intended for multimarket commercial distribution may be included and the amount of eligible expenses required shall be at least \$25,000.

(h) "Eligible television series" means a certified series television production project intended for multimarket commercial distribution, with an order for multiple episodes in a single season, not less than 25% of the series season is filmed within Kansas and the production incurs qualifying eligible expenses of more than \$50,000.

(i) "Eligible wages and salaries" means:

(1) (A) Wages or salaries paid by the production company to crew for work in Kansas designated as for production or for postproduction of an eligible production;

(B) for which the production company is required to remit withholding payments to the department of revenue under the Kansas withholding and declaration of estimated tax act; and

(C) at least 10% of the crew are residents of this state. The secretary and the Kansas arts industry director may agree upon a higher percentage requirement; and

(2) the amounts of wages, salaries or payments paid to above-the-line personnel, except that the eligible amount of such wages, salaries or payments shall not comprise more than 25% of qualified production expenditures as defined in subsection (s).

(j) "Film" means a professional single media, multimedia, video or audiovisual program or feature, that may be digital, that is not obscene material or an obscene performance as defined in K.S.A. 2022 Supp. 21-6401, and amendments thereto. "Film" includes, but is not limited to, film produced for an interactive game or a documentary, special, music video, television commercial or television program, or a portion thereof, that is filmed or taped for cable, television, streaming network, national or regional syndication or for a feature-length motion picture intended for theatrical release or for network, streaming, national or regional syndication or broadcast.

(k) "High-impact production" means a certified production for which production or postproduction expenditures are at least \$50,000,000, and at least  $\frac{1}{3}$  of such total expenditures constitute qualified expenditures approved by the secretary of commerce.

(l) "Kansas film media industry development expenditure" means documented financial, promotional or in-kind contributions or educational or workforce development efforts, at standard rates set by the secretary of commerce in consultation with the Kansas creative arts industries commission, in partnership with related Kansas industry labor organizations or educational institutions, toward the furtherance of the Kansas film or digital media industry. Promotional efforts include, but are not limited to, the promotion of the Kansas industry by directors, actors or producers affiliated with the production company's project through social media that is managed by the state, radio or television interviews facilitated by the department of commerce, enhanced screen credit acknowledgments or related events that are facilitated, conducted or sponsored by the secretary of commerce or the Kansas creative arts industries commission.

(m) "Multi-film deal" means a certified project in which a production company

films at least 75% of main crew principal photography for three or more films in this state within five years.

(n) "Nonresident crew member" means an individual who is not a Kansas resident and is hired for work on an eligible production project within this state.

(o) "Production company" means a person, producer or company that produces film for, including, but not limited to, exhibition in theaters, television, interactive games, cable, syndication or streaming networks. "Production company" includes affiliates of a production company when approved by the secretary and identified in the agreement executed pursuant to section 3, and amendments thereto.

(p) (1) "Postproduction expenditures" means expenditures made in Kansas directly for postproduction activities in Kansas for an eligible production by a production company and includes, but are not limited to, the following categories:

(A) Eligible wages or salaries of above-the-line personnel or crew designated as postproduction;

(B) sound synchronization, recording or mixing;

(C) color grading;

(D) editing and related services;

(E) visual effects or special effects;

(F) computer graphics, special effects or animation services;

(G) film processing or format transfers;

(H) music production, recording, mixing or composition;

(I) licensing of music produced in this state or created by a Kansas resident;

(J) rental of facilities or equipment;

(K) leasing of vehicles, including leasing of airplanes, for postproduction-related transportation and costs of food and lodging; and

(L) other direct postproduction costs of an eligible production in accordance with generally accepted entertainment industry practices.

(2) "Postproduction expenditures" does not include:

(A) Goods, equipment or vehicles not purchased, rented or leased in Kansas from a Kansas-based vendor and when not used in Kansas;

(B) any expenditures for activities, work or services not conducted in Kansas and not performed by a Kansas-based vendor. A vendor that acts as a conduit to enable purchases, rentals or leases to qualify as "production expenditures" that would not otherwise qualify shall not be considered a Kansas-based vendor with respect to such purchases, rentals or leases; or

(C) costs for footage shot outside this state, marketing, story rights or distribution.

(q) (1) "Production expenditures" means expenditures made in Kansas directly related to or used for production activities in this state for an eligible production by a production company, including, but not limited to, the following categories:

(A) Eligible wages or salaries of above-the-line personnel or crew designated as production;

(B) set construction, maintenance, repair or modification, set furnishings and operations, wardrobe, make-up, materials used to construct costumes, props or scenery, accessories and related services;

(C) scripts, musical scores or storyboards and drafting and design supplies;

(D) photography, sound synchronization, lighting and related services;

(E) editing and related services;

(F) rental of buildings, facilities or equipment and leasing of vehicles, including, but not limited to, leasing of airplanes;

(G) transportation costs, including, but not limited to, leasing of vehicles or airplanes, directly related to production activities in Kansas;

(H) food and lodging;

(I) sound recording or mixing services;

(J) computer graphics, special effects and animation services;

(K) film processing or format transfers;

(L) airfare if purchased through a Kansas travel agency;

(M) insurance costs and bonding if purchased through a Kansas insurance agency; and

(N) other direct costs of producing film in accordance with generally accepted entertainment industry practices.

(2) "Production expenditures" does not include:

(A) Goods, equipment or vehicles not purchased, rented or leased in Kansas from a Kansas-based vendor;

(B) any expenditures for activities, work or services not conducted in Kansas and services not performed at the filming site unless the vendor is a Kansas-based vendor; and

(C) postproduction expenditures as defined in subsection (p) when used for postproduction activities.

(r) "Qualified postproduction expenditures" means the funds actually invested and expended by a production company that are postproduction expenditures made in this state and that are directly used in a certified production, including, but not limited to, any Kansas film media industry development expenditures, and approved by the secretary of commerce. "Qualified postproduction expenditures" shall not exceed the usual and customary cost of the goods or services acquired. The secretary of commerce or the secretary of revenue may determine the value of the goods or services for purposes of this section when the buyer and seller are affiliates, or the sale or purchase is not an arm's length transaction. "Qualified postproduction expenditures" does not include postproduction expenditures for which another taxpayer claims the production tax credit pursuant to section 4, and amendments thereto.

(s) "Qualified production expenditures" means the funds actually invested and expended by a production company that are production expenditures made in this state and directly used in a certified production, including any Kansas film media industry development expenditures, and approved by the secretary of commerce. "Qualified production expenditures" shall not exceed the usual and customary cost of the goods or services acquired. The secretary of commerce or the secretary of revenue may determine the value of the goods or services for purposes of this act when the buyer and seller are affiliates, or the sale or purchase is not an arm's length transaction. "Qualified production expenditures" does not include production expenditures for which another taxpayer claims the production tax credit pursuant to section 4, and amendments thereto. "Qualified production expenditures" does not include wages, salaries or payment paid to above-the-line personnel that constitute more than 25% of total production expenditures.

(t) "Qualified Kansas promotion" means a promotion of this state, approved by the secretary as to content, distribution, duration and placement within a production, video

or interactive game or in associated online or other promotions, that consists of a static or animated logo that promotes Kansas, an embedded Kansas promotion or a Kansas advertisement and that may include a link to a Kansas website.

(u) "Secretary" means the secretary of commerce.

(v) "Vendor" means a business that sells or leases goods or services that are related to standard production industry inventory or services. "Vendor" does not include a personal services business.

New Sec. 3. (a) There is hereby created the Kansas film and digital media industry development program. The purpose of the Kansas film and digital media industry development program is to:

(1) Provide tax incentives, including, but not limited to, an income tax credit and a sales tax exemption, for eligible projects produced in Kansas by production companies that meet the requirements of this act and are approved as certified projects by the secretary of commerce; and

(2) provide tax incentives, support programs or services, including, but not limited to, professional development, infrastructure investments and marketing efforts to develop film and digital media industry-related Kansas businesses.

(b) The program shall be administered by the secretary with the assistance of the Kansas creative arts industries commission. The secretary shall consult with the Kansas creative arts industries commission in administering this act to ensure the best possible use of Kansas resources for promoting and developing film and digital media production and related industry in Kansas. In determining whether to approve a project as a certified project, the secretary shall consider the immediate impact and potential future impact of the project on the development and growth of the Kansas film, video and digital media production industry. The secretary may limit, by category, specified eligible expenditures or total amounts of eligible production or postproduction expenditures that may be approved by the secretary as qualified production or postproduction expenditures. The aggregate total amount of income tax credits under this act shall not exceed \$10,000,000 in a tax year. The secretary shall designate 10% of such total aggregate amount in each tax year for tax credits for Kansas-based production companies to fulfill the purpose of this act as described in subsection (a)(2).

(c) To be eligible for an income tax credit or a sales tax exemption under this act, a production company shall, prior to the commencement of the project or of principal photography, submit the following to the secretary of commerce in the form and manner and with such documentation and other information as required by the secretary:

(1) An application for approval of the production as an eligible production and for designation as a certified production;

(2) evidence of adequate financing for the project;

(3) evidence of a certificate of general liability insurance with a minimum coverage of \$1,000,000, or a greater amount if required by the secretary, and workers compensation coverage in compliance with Kansas law that shall include coverage of employer liability;

(4) a description of the project, timelines and anticipated completion dates, anticipated eligible expenditures and project activities to be conducted in Kansas, anticipated employment of crew or above-the-line personnel who are Kansas residents or use of Kansas-based vendors and any anticipated construction or contribution of production infrastructure or participation in Kansas film and digital media industry

development activities; and

(5) an economic impact statement showing the economic impact from the activities of the project. Such economic impact statement shall indicate the impact on the region of the state in which the project production or production-related activities are conducted and any impact on the state as a whole. The secretary may consider the size of the project when determining the scope and information required.

(d) (1) If the secretary determines that the project is an eligible project and approves the application, the production company shall enter into an agreement with the secretary prior to the commencement of the project on such terms and conditions as the secretary may require. Such terms and conditions shall include, but not be limited to, qualified Kansas promotions to be provided and any limitations the secretary may impose on the amounts of eligible production or postproduction expenditures that may be approved by the secretary as qualified expenditures, whether in total or for specified eligible expenditures or specified eligible expenditure categories.

(2) The production company shall agree to the provision of documentation and information to the secretary or the secretary of revenue on a regular basis as requested by the secretary or secretary of revenue to determine qualified expenditures and compliance with the requirements of this act and rules and regulations adopted by the secretary or the secretary of revenue pursuant to this act. The production company shall agree to the provision of information to the secretary on a regular basis as requested by the secretary regarding the progress of the project and estimated completion date.

(3) The terms and conditions shall include provisions for repayment of income tax credits or sales tax exempted if requirements of this act or rules and regulations are not met, provisions requiring cooperation with any audit conducted pursuant to this act and provisions for submission of information as required for publication on the Kansas economic incentive database and for the secretary's reports to the legislature as provided by section 5, and amendments thereto.

(4) The terms and conditions may also include agreements by the production company for the facilitation of, coordination with or provision of support services for Kansas businesses and organizations to enable participation in the project or the development of the Kansas film and digital media industry.

(5) If the secretary approves the agreement with the production company, the secretary shall authorize the eligible project as a certified project.

(e) Upon approval by the secretary as an eligible and certified project and the execution of the agreement as provided in subsection (d), the secretary may approve an application by the production company for a sales tax exemption for production or postproduction expenditures pursuant to the provisions of K.S.A. 79-3606(pppp), and amendments thereto, and shall notify the applicant and the secretary of revenue of such approval. In considering approval of such sales tax exemption, the secretary shall prioritize expenditures in rural areas or in economically depressed urban areas to the extent feasible. The secretary may require that all or a portion of expenditures eligible for exemption from sales tax be made with businesses located in such areas, as determined by the secretary. A production company receiving a sales tax exemption shall provide the secretary or the secretary of revenue with such documentation as requested by the secretary or the secretary of revenue to demonstrate that expenditures have been made as required.

(f) Prior to receipt by a production company of any income tax credit authorized by

section 4, and amendments thereto, the secretary shall examine and determine the amount of eligible production or eligible postproduction expenditures that are qualified production expenditures or qualified postproduction expenditures of the production company and that such expenditures are for a certified production. No expenditure that was exempt from sales taxation pursuant to K.S.A. 79-3606(pppp), and amendments thereto, shall also be a basis for the income tax credit pursuant to section 4, and amendments thereto, unless specifically approved by the secretary. The production company shall provide such information and documentation as requested by the secretary to make such determination. In addition, the production company shall provide evidence as required by the secretary that:

(1) The production company has filed all Kansas tax returns and tax documents required by law and withholding taxes have been submitted as required by law;

(2) all crew who are Kansas residents and Kansas-based vendors have been paid and that there are no pending liens in this state against the production company; and

(3) the certified project for which a sales tax exemption has been granted or an income tax credit is requested has been completed, or in the discretion of the secretary, a phase of the certified project has been completed and adequate assurance, as determined by the secretary, has been provided that the project will be fully completed.

(g) As a condition of receiving any income tax credits pursuant to this act, the production company shall provide the secretary with a report by a certified public accountant licensed to practice in Kansas, prepared at the expense of the applicant, verifying that the expenditures have been made in compliance with the requirements of this act. The report shall be provided with a claim for income tax credits as required by section 4, and amendments thereto, or as required by the secretary.

(h) The secretary shall notify the production company and the secretary of revenue of determinations of qualified expenditures made by the secretary.

(i) The secretary of commerce and the secretary of revenue may adopt rules and regulations to implement the provisions of this act.

New Sec. 4. (a) For tax years 2023 through 2032, for any production company or its affiliates that make qualified production or qualified postproduction expenditures for a certified production approved by the secretary of commerce as provided by section 3, and amendments thereto, there shall be allowed an income tax credit against the tax imposed under the Kansas income tax act in the amount as determined pursuant to subsection (d) as limited by subsection (h). The tax credit shall be applied against the production company's income tax liability for the taxable year in which the qualified expenditures are made by the production company. If the amount of the tax credit allowed exceeds the production company's income tax liability for the taxable year, the production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10<sup>th</sup> taxable year succeeding the year in which the qualified expenditures were made by the production company. If the production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such

shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto.

(b) A claim for a tax credit shall be filed with the secretary of revenue as part of a return filed by the production company pursuant to the Kansas income tax act. The order that agreements are executed with the secretary of commerce pursuant to section 3, and amendments thereto, shall determine the order that credit claims are allocated by the secretary of revenue. A claim shall be submitted with a return or amended return within one calendar year of the date of the last eligible production expenditure or the last eligible postproduction expenditure for the certified production that would be eligible for an income tax credit as provided by subsection (a). A request by a production company for an extension of time of up to six months to submit a claim shall be granted by the secretary of revenue. All qualified production expenditures or postproduction expenditures incurred during the taxable year by a production company for a certified production shall be submitted for credit as part of the same income tax return. A tax credit claim for qualified expenditures during a taxable year shall not be divided and submitted with multiple returns or in multiple years.

(c) The claim shall include a copy of the project certification and the determination of qualified production or postproduction expenditures by the secretary of commerce. The claim shall also include a report by a certified public accountant licensed to practice in Kansas, prepared at the expense of the applicant, verifying that the expenditures have been made in compliance with the requirements of this act.

(d) The amount of the tax credit shall be equal to 30% of:

(1) The qualified production expenditures for the certified project; or

(2) the qualified postproduction expenses for a certified project with no qualified production expenses.

(e) The secretary of commerce may approve additional credits as follows:

(1) In addition to the amount authorized by subsection (d)(1):

(A) Up to 5% of the qualified production expenditures for a certified multi-film deal, a certified eligible television series, a certified high-impact production or contributions to film-related infrastructure or workforce development in Kansas, including, but not limited to, contributions to permanent sets, sound stages, film editing facilities, computer graphics, special effects or animation facilities, educational facilities or programs, internships or apprenticeships or equipment for production activities, in the amount such contributions are approved by the secretary of commerce; or

(B) up to 5% for qualified production expenditures for a production if 50% or more of the crew or above-the-line personnel are Kansas residents; or

(2) in addition to the amount authorized under subsection (d)(1) or (2), up to an additional 5%, as determined by the secretary, of the amount of the qualified production expenditures or qualified postproduction expenditures, as applicable, of a certified project of a production company that has previously received an income tax credit under this act with respect to such certified project.

(f) In addition to or in lieu of the credits authorized by subsection (d), as determined by the secretary, a Kansas-based production company that incurs at least \$25,000 in qualified expenditures, including, but not limited to, expenditures for a certified production not intended for multimarket distribution but that otherwise constitute qualified expenditures and meets all other qualifications for a tax credit under

this act shall receive a tax credit in the amount of 25% of such qualified expenditures. The tax credit shall be applied against the Kansas-based production company's income tax liability for the taxable year in which the qualified expenditures are made by the Kansas-based production company. If the amount of the tax credit exceeds the Kansas-based production company's income tax liability, the Kansas-based production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the Kansas-based production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the Kansas-based production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10<sup>th</sup> taxable year succeeding the year in which the qualified expenditures were made by the Kansas-based production company. If the Kansas-based production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto.

(g) Notwithstanding any other provision of this act, the tax credit amount based on a production or postproduction expenditure for a single individual who meets the definition of individuals who are above-the-line, nonresident personnel shall be limited to not more than \$500,000 in each taxable year.

(h) The maximum cumulative amount of all income tax credits awarded to a production company for a certified project for a taxable year shall not exceed 40% of the total qualified production expenditures or qualified postproduction expenditures made by the production company for that certified project during that taxable year.

(i) For purposes of determining the amount of credit claims pursuant to this section, the secretary of revenue may require that credit claims of affiliates be combined into one claim if necessary to accurately reflect closely integrated activities of affiliates.

(j) If a production company hires another production company to produce a project or contribute elements of a project for pay, the hired company shall be considered a service provider for the hiring company, and the hiring company shall be entitled to the income tax credit authorized by this section.

(k) The aggregate total amount of credits allowed under this section shall not exceed \$10,000,000 in a tax year. Ten percent of such aggregate total in each tax year shall be designated for tax credits to Kansas-based production companies.

New Sec. 5. On or before January 31, 2024, and each January 31 through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committees on commerce, labor and economic development and taxation and the senate standing committees on commerce and assessment and taxation. The report shall include the amounts and recipients of tax incentives approved by the secretary pursuant to this act for the prior year and to the date of the report, anticipated tax incentive amounts for the current year, the production companies that have applied for and that have been certified for projects, a description of ongoing and completed projects and the impact of such projects and the program on the film, video or digital production industry in Kansas. The secretary of revenue shall provide the

secretary of commerce with information as necessary for the report in accordance with the terms of the agreements required by section 3, and amendments thereto.

New Sec. 6. No sales tax exemption or income tax credit pursuant to this act shall apply or be awarded for expenditures made on or after January 1, 2033.

New Sec. 7. (a) The secretary of commerce is hereby authorized and empowered to award grants for educational purposes or programs to develop and support the Kansas film and digital media industry. The purpose of such grants is to develop, expand and improve Kansas educational programs directly relevant to development and support of the film and digital media industry in this state. The secretary is authorized to award such grants to not-for-profit postsecondary educational institutions with a main campus or principal operations in Kansas, including public or private four-year universities or colleges, community colleges or technical colleges established under the laws of this state or the Washburn institute of technology. In awarding such grants, the secretary shall select such institutions that are engaged in or that seek to engage in educational programs or activities related to film, media, digital technology, gaming or other evolving areas of the film and digital media industry in Kansas. The secretary shall not award grants pursuant to this section on or after January 1, 2033.

(b) (1) There is hereby established in the state treasury the Kansas film and digital media production development act education fund to be administered by the secretary of commerce. All moneys credited to such fund shall be used to provide grants for the expansion of film and digital media production-related education in the state of Kansas and the administration of such fund. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(2) The secretary shall remit any moneys received pursuant to any penalties or any repayment obligations imposed by the secretary pursuant to this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas film and digital media production development act education fund.

(c) (1) Grants made by the secretary of commerce from the Kansas film and digital media production development act education fund shall be used for educational purposes, including, but not limited to:

- (A) Internships and apprenticeship programs;
- (B) scholarships;
- (C) curriculum development and staffing; or
- (D) resources such as lab facilities or equipment.

(2) Such grants shall be awarded upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall:

(A) Require that scholarship programs that receive grant funding require student scholarship recipients to agree to reside in Kansas and work primarily in Kansas or with a Kansas-based company, when possible, for at least two years following completion of an educational program;

(B) include specified objectives and milestones as agreed by the Kansas educational institution grant recipient and the secretary, including, but not limited to, graduate job placement goals; and

(C) require the Kansas educational institution to provide information as requested by the secretary for purposes of administering the grant program, monitoring the use of funds and the achievement of milestones and objectives and preparation of the report required by subsection (e).

(d) (1) Subject to appropriation acts, on July 1, 2023, and each July 1 thereafter through July 1, 2032, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas film and digital media production development act education fund. Any unexpended balance in such fund at the close of a fiscal year shall remain credited to the fund for use in the succeeding fiscal year.

(2) On January 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas film and digital media production development act education fund to the state general fund. After such transfer and the disbursement of any encumbered funds pursuant to grant awards made prior to January 1, 2033, the Kansas film and digital media production development act education fund shall be abolished. Upon abolishment of such fund, all liabilities of the Kansas film and digital media production development act education fund shall be transferred to and imposed on the state general fund.

(e) On or before January 31, 2024, and each January 31 through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committee on commerce, labor and economic development and the senate standing committee on commerce on the administration of the Kansas film and digital media production development act education fund and all grants awarded from the fund. Such report shall contain specific and aggregate information regarding all expenditures from the fund, the Kansas educational institutions receiving grants, the amount of funds expended for each grant, the reason and purpose for which each grant was approved, including how it was intended to further the purposes of the fund, the actual use of such grant funds by the Kansas educational institution and the accomplishment or progress made by the educational institution toward agreed milestones and objectives.

New Sec. 8. (a) The secretary of commerce is hereby authorized and empowered to award grants or loans from the Kansas film and digital media production development act workforce training and business direct investment fund in connection with projects certified by the secretary pursuant to section 3, and amendments thereto. The secretary shall award such grants or loans for the purpose of facilitating and supporting certified projects and developing the Kansas film and digital media industry by funding workforce training and by investing directly in Kansas companies engaged in or seeking to engage in certified projects. The secretary shall not award grants or loans pursuant to this section on or after January 1, 2033.

(b) (1) There is hereby established in the state treasury the Kansas film and digital media production development act workforce training and business direct investment fund to be administered by the secretary of commerce. All moneys credited to such fund shall be used to provide grants or loans as provided by this section for the support of workforce training and direct investment in Kansas companies in relation to certified film or digital media production projects, the development of the Kansas film and digital media industry and the administration of such fund. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(2) The secretary of commerce shall remit any moneys received pursuant to loan repayments, interest, any penalties or any other repayment obligations imposed by the secretary pursuant to this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas film and digital media production development act workforce training and business direct investment fund.

(c) (1) Grants made by the secretary of commerce from the Kansas film and digital media production development act workforce training and business direct investment fund shall be used for workforce development purposes, including, but not limited to:

(A) Apprenticeship programs for Kansas residents;

(B) crew training for Kansas residents, including:

(i) Training provided by not-for-profit postsecondary educational institutions with a main campus or principal operations in Kansas selected by the secretary, including four-year public or private educational institutions, public community colleges or public technical schools established under the laws of this state or the Washburn institute of technology; or

(ii) employee training provided by any production company or a Kansas company involved in the film and digital media industry and engaged in a certified project; or

(C) development of training models, in coordination and cooperation with the film and digital media production industry, for use by Kansas educational institutions.

(2) Such grants shall be upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall include an agreement by the grant recipient to provide information as requested by the secretary for purposes of administering the grant program, monitoring the use of funds and preparation of the report required by subsection (f).

(d) (1) Direct investments made by the secretary of commerce from the Kansas film and digital media production development act workforce training and business direct investment fund shall be used for investing in Kansas film and digital media production industry companies that will or seek to be engaged in certified projects, including Kansas-based production companies or Kansas businesses that are offering personnel, services, facilities, leases or rentals or that are offering, engaged in or seeking to engage in other production or postproduction-related business activities. Investments may be made in Kansas start-ups, Kansas businesses seeking to expand into the film and digital media production industry or established Kansas businesses in such industry.

(2) Direct investments shall be comprised of a loan component in the amount of 80% and a grant component in the amount of 20% of the total award of funds to the recipient. The investment shall be made upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall:

(A) Include specified objectives and milestones as required by the secretary and provisions for repayment of the grant or loan if conditions specified by the secretary are not met; and

(B) require the recipient to provide information as requested by the secretary for purposes of administering the direct investment program, monitoring the use of funds and achievement of milestones and objectives and preparation of the report required by subsection (f).

(e) (1) Subject to appropriation acts, on July 1, 2024, and each July 1 thereafter through July 1, 2032, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas film and digital media production development act workforce training and business direct investment fund. Any unexpended balance in such fund at the close of a fiscal year shall remain credited to the fund for use in the succeeding fiscal year.

(2) On January 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas film and digital media production development act workforce training and business direct investment fund to the state general fund. After such transfer and the disbursement of any encumbered funds pursuant to awards made prior to January 1, 2033, the Kansas film and digital media production development act workforce training and business direct investment fund shall be abolished. Upon abolishment of such fund, all liabilities of the Kansas film and digital media production development act workforce training and business direct investment fund shall be transferred to and imposed on the state general fund.

(f) On or before January 31, 2024, and each January 31 thereafter through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committee on commerce, labor and economic development and the senate standing committee on commerce on the administration of the Kansas film and digital media production development act workforce training and business direct investment fund and all grants or loans awarded from the fund. Such report shall contain specific and aggregate information regarding all expenditures from the fund, the businesses or Kansas postsecondary educational institutions receiving funds, the amount of funds expended for each grant or loan, the reason and purpose for which each grant or loan was approved, including how it was intended to further the purposes of the Kansas film and digital media production development act project workforce training and business direct investment fund, the actual use of the grant or loan funds by the recipient and the accomplishment of or progress made toward agreed milestones and objectives.

New Sec. 9. On or before January 31, 2027, and on or before January 31, 2031, the secretary of commerce shall submit an economic impact report to the house of representatives standing committee on commerce, labor and economic development, the house of representatives standing committee on taxation, the senate standing committee on commerce and the senate standing committee on assessment and taxation. The economic impact report shall include an economic impact assessment and evaluation for the approved and completed projects of the preceding years. The report shall include economic impacts attributable to each approved project, the impact of project expenditures on the state and local economy, including local taxes and state taxes related to sales, salaries and wages, full-time and part-time employment and other categories of expenditures as appropriate. The report shall utilize the best available methodology to calculate the multiplier effect of the actual impact of qualified expenditures in the location of a certified production. The secretary of revenue shall provide the secretary of commerce with information as necessary for the report in accordance with the terms of the agreements required by section 3, and amendments thereto.

Sec. 10. K.S.A. 2022 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of

the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or

compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in

addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with

constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes.

As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be

ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any

warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the

fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(II) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their

families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or

the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or

the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from

whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or

processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax

otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf

of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the

purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq),

which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or

remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if

purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining,

repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf

of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the

month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute

invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such

organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose; ~~and~~

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2022 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce; and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering ~~the same such purchases~~ bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to

exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2022 Supp. 74-50,311, and amendments thereto; and

(pppp) all sales of tangible personal property or services constituting production or postproduction expenditures purchased for the purpose of a certified project by a production company that meets the requirements established in section 3, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce and the sale and installation of machinery and equipment constituting production or postproduction expenditures purchased by such production company for use in this state for a certified project. Such sales tax exemptions may be limited by the secretary of commerce as provided by section 3, and amendments thereto. When a production company contracts for construction, reconstruction, enlargement or remodeling of any facility for purposes of a certified project that constitutes a production or postproduction expenditure, the production company shall obtain from the state and furnish to the contractor an exemption certificate for the certified project, and the contractor may purchase materials, machinery and equipment for incorporation in such work. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering such purchases bearing the number of such certificate. Upon completion of the work, the contractor shall furnish to the owner of the production company a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection and section 3, and amendments thereto. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who uses or otherwise disposes of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "certified project," "postproduction expenditure," "production company" and "production expenditure" mean the same as defined in section 2, and amendments thereto.";

Also on page 3, in line 21, by striking "K.S.A. 75-1253 and 75-5804 are" and inserting "K.S.A. 2022 Supp. 79-3606 is"; in line 23, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 8; in line 9, by striking all before the period and inserting "concerning economic development; enacting the Kansas film and digital media production development act; establishing an income tax credit, sales tax exemption and loan and

grant program to be administered by the secretary of commerce for the purpose of developing film, video or digital production in Kansas; establishing the Kansas film and digital media production development act education fund and the Kansas film and digital media production development act workforce training and business direct investment fund; requiring the secretary of commerce to issue reports on the economic impact of the act; K.S.A. 2022 Supp. 79-3606 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

RENEE ERICKSON

BRENDA DIETRICH

TOM HOLLAND

*Conferees on part of Senate*

SEAN TARWATER

JESSE BORJON

JASON PROBST

*Conferees on part of House*

Senator Dietrich moved the Senate adopt the Conference Committee Report on **HB 2234**.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Peck, Pyle, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2292** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 8, in line 3, before the period by inserting "that seeks to engage in a registered education apprenticeship program"; in line 11, by striking all after "school"; in line 12, by striking all before "and"; in line 39, after the second comma, by inserting "of an applicant school"; in line 42, by striking "commissioner of education and the"; also in line 42, by striking the second "of"; in line 43, by striking all before the period; following line 43, by inserting:

"(f) "Secretary" means the secretary of commerce or the secretary's designee, including the director of the office of registered apprenticeship or any successor, designated by the secretary to administer the provisions of this act.";

On page 9, in line 3, by striking all after "secretary"; in line 4, by striking all before "shall"; also in line 4, by striking the second comma and inserting "and"; in line 6, by

striking the second "and" and inserting ". The secretary shall"; in line 9, by striking "applicant schools" and inserting "education apprentices for tuition, fees, books and materials to obtain their postsecondary degrees"; in line 12, after "participate", by inserting "as education apprentices"; in line 15, by striking all after "the"; in line 16, by striking the first "education" and inserting "secretary"; in line 17, after "program" by inserting "of an applicant school"; also in line 17, by striking "of commerce, or the secretary's designee,"; in line 19, by striking "in"; in line 20, by striking all before "the" and inserting "and"; also in line 20, by striking "of commerce"; also in line 20, after "shall" by inserting "coordinate to"; in line 24, by striking all after "(1)"; in line 25, by striking all before the semicolon and inserting "Application procedures, forms and terms and conditions and requirements for an award of a Kansas educator registered apprenticeship program grant to an education apprentice by the secretary"; in line 26, by striking "an award of a" and inserting "acceptance by the secretary of an applicant school into the"; in line 27, by striking "grant"; in line 32, after the semicolon, by inserting "and"; in line 36, by striking "(C)" and inserting "(3)"; also in line 36, after "of" by inserting "education"; in line 37, by striking "and" and inserting a comma; also in line 37, after "fees" by inserting "and the cost of books and materials"; in line 38, by striking "and"; by striking all in lines 39 and 40; in line 41, by striking "grant";

On page 10, in line 5, by striking "and" and inserting a comma; in line 6, by striking ", in coordination with" and inserting "and"; also in line 6, by striking all after "secretary"; in line 7, by striking all before "shall"; in line 28, by striking all after the first "the"; in line 29, by striking all before the period and inserting "secretary"; in line 35, by striking all after "the"; in line 36, by striking all before "designee" and inserting "secretary, or the secretary's"; in line 37, by striking "commissioner" and inserting "secretary";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 10, following line 42, by inserting:

"Sec. 7. As used in this section and section 8, and amendments thereto:

(a) "Eligible institution of higher education" means:

(1) (A) A state educational institution as defined in K.S.A. 76-711, and amendments thereto; or

(B) any private, independent college with its primary location in Kansas that is a member of the Kansas independent college association as of July 1, 2023; and

(2) that has an engineering program accredited by the accreditation board for engineering and technology.

(b) "Engineering program" or "accredited engineering program" means an engineering program accredited by the accreditation board for engineering and technology and includes, but is not limited to, a program in computer engineering or computer science.

(c) "Qualified eligible institution of higher education" means an eligible institution of higher education that has certified to the secretary that, in the immediately preceding academic year, at least the following number of students have graduated with baccalaureate degrees from an engineering program or programs with respect to each institution:

(1) Kansas state university, 586 graduates;

(2) university of Kansas, 419 graduates;

- (3) Wichita state university, 360 graduates;
- (4) any other state educational institution as defined in K.S.A. 76-711, and amendments thereto, with an accredited engineering program, one or more graduates; and
- (5) private, independent colleges, one or more graduates.
- (d) "Secretary" means the secretary of commerce.

Sec. 8. (a) There is hereby created in the state treasury the engineering graduate incentive fund. The secretary of commerce shall administer the fund. All expenditures from the fund shall be for the purpose of promoting the development of accredited postsecondary engineering programs in Kansas by providing grants that shall be matched on a \$1-for-\$1 basis with funds from nonstate sources to qualified eligible institutions of higher education for:

- (1) Awarding scholarships to undergraduate students enrolled at such institutions in an engineering program;
- (2) recruiting undergraduate students for engineering programs offered by such institutions;
- (3) expanding the number of potential engineering students through engineering-related activities in secondary schools in Kansas;
- (4) funding internships for undergraduate students enrolled at such institutions in an engineering program;
- (5) making necessary facility improvements or equipment purchases to expand engineering program course offerings; or
- (6) hiring additional faculty or enhancing faculty salaries in such an institution's engineering program.

(b) Applications for matching grants shall be made by eligible institutions of higher education to the secretary in the form and manner required by the secretary. If the secretary determines the institution is a qualified eligible institution of higher education, finds the institution has sufficient nonstate funding to match the grant requested on a \$1-for-\$1 basis and approves the application, the qualified eligible institution of higher education shall receive a matching grant. If sufficient moneys are available in the engineering graduate incentive fund to fully fund all approved applications, the amount of the matching grant shall be at least \$20,000 for each graduate of an engineering program of the institution during the immediately preceding academic year, as determined by the secretary, in excess of the threshold requirement for qualification as a qualified eligible institution of higher education pursuant to section 1, and amendments thereto. If sufficient moneys are not available in the engineering graduate incentive fund to fully fund all approved applications in an amount of at least \$20,000 for each graduate, the secretary shall award grants in a prorated amount so that all approved applicant qualified eligible educational institutions receive the same amount of grant money for a graduate in excess of such respective threshold. The secretary shall consult with and coordinate with eligible institutions of higher education, qualified eligible institutions of higher education, the state board of regents, or private industry in planning and developing uses for matching grant funding to achieve the purpose of this act.

(c) Qualified eligible institutions of higher education that receive a matching grant shall provide such information as requested by the secretary, excluding any information confidential under state or federal law, regarding the use of grant funds. On or before

January 10, 2024, and on or before the first day of each regular session of the legislature thereafter, the secretary shall provide a written report to the house of representatives standing committee on commerce, labor and economic development, or its successor committee, and the senate standing committee on commerce, or its successor committee, on the amount and uses of grant funding by each qualified eligible educational institution of higher education that has received a matching grant and progress made toward the goal of this act.

(d) All expenditures from the engineering graduate fund shall be for the purposes described in subsection (a) and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(e) No moneys appropriated to the engineering graduate incentive fund shall be expended for the acquisition or construction of any facilities.

(f) (1) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state general fund to the engineering graduate fund.

(2) On July 1, 2024, and on each July 1 thereafter, the secretary shall certify to the director of accounts and reports the amount of moneys expended for grants from the engineering graduate fund in the prior fiscal year. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer from the state general fund to the engineering graduate fund an amount equal to twice the amount certified by the secretary of commerce, except that if such transfer would result in an unencumbered balance in the engineering graduate fund of greater than \$5,000,000, the director of accounts and reports shall transfer the amount of moneys that shall result in an unencumbered balance of \$5,000,000 in the engineering graduate fund on such date.

Sec. 9. The provisions of sections 7 through 9, and amendments thereto, shall expire on July 1, 2033. On July 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the engineering graduate fund to the state general fund. After such transfer, the engineering graduate fund shall be abolished. Upon abolishment of such fund, all liabilities of the engineering graduate fund shall be transferred to and imposed on the state general fund.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to workforce development programs to be administered by the secretary of commerce;"; in line 2, by striking all after "act"; in line 3, by striking all before "apprenticeships" and inserting "to promote and expand"; also in line 3, by striking the second "for" and inserting "with"; in line 5, by striking all before the semicolon and inserting "public schools by providing grants and tax credits for businesses, nonprofit organizations and healthcare organizations that offer apprenticeships and providing scholarship grants to aspiring teachers to obtain their professional degrees; promoting and expanding public and private professional engineering programs by providing matching grants for engineering student scholarships and other program development and expansion costs"; in line 7, by striking "and" and inserting a comma; in line 8, after "fund" by inserting "and the engineering graduate incentive fund to be administered by the secretary of commerce";

And your committee on conference recommends the adoption of this report.

RENEE ERICKSON  
BRENDA DIETRICH  
TOM HOLLAND  
*Conferees on part of Senate*

SEAN TARWATER  
JESSE BORJON  
JASON PROBST  
*Conferees on part of House*

Senator Erickson moved the Senate adopt the Conference Committee Report on **HB 2292**.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Peck, Pyle, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

#### **CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2350** submits the following report:

The Senate recedes from all of its amendments to the bill.

And your committee on conference recommends the adoption of this report.

KELLIE WARREN  
RICK WILBORN  
ETHAN CORSON  
*Conferees on part of Senate*

STEPHEN OWENS  
ERIC SMITH  
BOOG HIGHBERGER  
*Conferees on part of House*

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2350**.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Faust-Goudeau, Ware.  
 Absent or Not Voting: McGinn, Shallenburger.  
 The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

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The Senate met pursuant to recess with Vice President Wilborn in the chair.

### MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 123**.

The House adopts the Conference Committee report on **SB 217**.

The House adopts the Conference Committee report on **SB 228**.

The House adopts the Conference Committee report to disagree on **S Sub HB 2390**, and has appointed Representatives W. Carpenter, Humphries and Hoye as second conferees on the part of the House.

### CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Thompson moved the Senate concur in House amendments to **SB 209**.

**SB 209**, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section.

On roll call, the vote was: Yeas 23; Nays 14; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Senate concurred.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 123** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, following line 7, by inserting:

"New Section 1. (a) Sections 1 through 9, and amendments thereto, shall be known and may be cited as the Kansas adult learner grant act.

(b) As used in the Kansas adult learner grant act:

(1) "Adult learner grant eligible program" means any baccalaureate degree program offered by an eligible postsecondary educational institution that is identified as an "adult learner grant eligible program" by the state board of regents pursuant to section 2, and amendments thereto, or designated as an "adult learner grant eligible program" by an eligible postsecondary educational institution pursuant to section 3, and

amendments thereto.

(2) "Eligible postsecondary educational institution" means:

(A) A state educational institution under the control and supervision of the board of regents;

(B) a municipal university;

(C) any not-for-profit institution of postsecondary education with its main campus or principal place of operation in Kansas that offers an adult learner grant eligible program, is operated independently and not controlled or administered by any state agency or subdivision of the state, maintains open enrollment and is accredited by a nationally recognized accrediting agency for higher education in the United States; or

(D) a not-for-profit independent institution of higher education which is accredited by an institutional accrediting agency recognized by the United States department of education, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment, offers online education and offers exclusively competency-based education programs.

(3) "Part-time student" means a student who is enrolled for six credit hours or more in a semester, or the equivalent, and is not enrolled as a full-time student.

New Sec. 2. (a) There is hereby established the Kansas adult learner grant program. The state board of regents shall administer the program.

(b) On or before March 1, 2024, the state board of regents shall adopt rules and regulations to implement and administer the Kansas adult learner grant program. Such rules and regulations shall establish:

(1) Grant application and renewal forms and deadlines;

(2) appeal procedures for denial or revocation of a Kansas adult learner grant;

(3) the terms, conditions and requirements for the Kansas adult learner grant consistent with the provisions of this act; and

(4) procedures for requesting and approving medical, military and personal absences from an eligible postsecondary educational institution while a Kansas adult learner grant recipient is receiving such grant.

(c) The state board of regents shall:

(1) Identify the adult learner grant eligible programs offered by each eligible postsecondary educational institution that are:

(A) In any of the following fields of study:

(i) Information technology and security;

(ii) healthcare and nursing;

(iii) science, engineering, aerospace and advanced manufacturing;

(iv) education, early childhood education and development;

(v) business, accounting and data analytics; or

(B) designated by the eligible postsecondary educational institution pursuant to section 3, and amendments thereto;

(2) work with community partners, such as community foundations, school districts, postsecondary educational institutions, Kansas business and industry and Kansas economic development organizations to publicize Kansas adult learner grants, including, but not limited to, publicizing eligible postsecondary educational institutions, approved grant-eligible educational programs and application and renewal procedures and deadlines;

(3) disburse funds to each eligible postsecondary educational institution for the

purpose of awarding Kansas adult learner grants;

(4) request information from eligible postsecondary educational institutions necessary for the administration of this act; and

(5) beginning January 1, 2025, annually evaluate the Kansas adult learner grant program and prepare and submit a report to the senate standing committee on education and committee on commerce and the house of representatives standing committee on education and committee on commerce, labor and economic development.

New Sec. 3. (a) Subject to subsection (b), an eligible postsecondary educational institution may designate one additional adult learner grant eligible program if the additional program is a baccalaureate degree program that corresponds to a high wage, high demand or critical need occupation.

(b) To designate an additional adult learner grant eligible program, such institution shall have and maintain an existing adult learner grant eligible program in any of the following fields of study:

- (1) Information technology and security;
- (2) healthcare and nursing;
- (3) science, engineering, aerospace and advanced manufacturing;
- (4) education and early childhood education and development; or
- (5) business, accounting and data analytics.

(c) An eligible postsecondary educational institution that designates an additional adult learner grant eligible program pursuant to subsection (a) shall maintain the adult learner grant eligible program designation of such program for at least four consecutive years. After maintaining such program for at least four years, the institution may designate a new adult learner grant eligible program that corresponds to a high wage, high demand or critical need occupation to replace the existing designated adult learner grant eligible program. Any newly designated program shall be subject to the requirements of this section.

New Sec. 4. (a) Subject to appropriations, the amount of a Kansas adult learner grant for a student shall be \$3,000 per semester, except that such amount shall be prorated if the student is not enrolled full-time. The prorated amount shall be calculated on a sliding scale, in which full-time enrollment is 12 credit hours per semester and shall qualify for a 100% grant and 6 credit hours of enrollment per semester shall qualify for a 50% grant.

(b) Students receiving an adult learner grant are eligible to continue to receive such grant for up to 48 months after the date that the grant was first awarded or upon graduation from the program, whichever comes first.

(c) Except as otherwise provided in this subsection, Kansas adult learner grants shall only be awarded to an eligible student whose family household income equals \$100,000 or less for a family of two, \$150,000 or less for a family of three and, for household sizes above three, a household income that is equal to or less than the family of three amount plus \$4,800 for each additional family member.

(d) Moneys awarded as a grant under this act shall only be expended for tuition, required fees and the cost of books and required materials.

(e) For fiscal year 2024 and each fiscal year thereafter, the appropriation made for the Kansas adult learner grant program shall not exceed \$1,000,000 for each fiscal year.

New Sec. 5. (a) To be eligible for a Kansas adult learner grant, a student shall:

- (1) Be a Kansas resident;

(2) be 25 years of age or older at the time the student's first course that is funded by a grant begins;

(3) complete the required grant application on such forms and in such manner as established by the state board of regents;

(4) complete the free application for federal student aid for the academic year in which the student applies to receive a Kansas adult learner grant; and

(5) enroll as a full-time student or part-time student at an eligible postsecondary educational institution in an adult learner grant eligible program.

(b) To continue to receive a Kansas adult learner grant, a student shall:

(1) Maintain satisfactory academic progress, including a grade point average of 2.0 or higher, or the equivalent thereof, toward completion of the adult learner grant eligible program;

(2) complete a grant renewal application on such forms and in such manner as established by the state board of regents; and

(3) complete the free application for federal student aid for the academic year for which the student applies to renew the grant.

New Sec. 6. (a) As a condition to receiving a grant under this act, an eligible student shall enter into an agreement with the eligible postsecondary educational institution that awarded such grant. Such eligible postsecondary educational institution shall counsel each eligible student on the requirements and conditions of the agreement. Such agreement shall require any student who receives a grant award to:

(1) Enroll as a full-time or part-time student at the eligible postsecondary educational institution that made the grant award and engage in and complete the adult learner grant eligible program;

(2) within six months after graduation from the adult learner grant eligible program:

(A) Reside and commence work in the state of Kansas for at least two consecutive years following completion of such program. A scholarship recipient may use a W-2 wage and tax statement showing Kansas withholding or estimated income tax to the state of Kansas as proof of work in Kansas; or

(B) enroll as a full-time or part-time student in any public or private postsecondary educational institution with its primary location in Kansas and upon graduation or failure to re-enroll, reside in and commence work in Kansas for at least two consecutive years following the completion of such program;

(3) maintain records and make reports to the state board of regents on such forms and in such manner as required by the state board of regents to document the satisfaction of the requirements of this act; and

(4) upon failure to satisfy the requirements of an agreement entered into pursuant to this section, repay the amount of the grant award the student received under the program as provided in subsection (b) to the state board of regents.

(b) (1) Except as provided in subsection (c), if any student who receives a grant award fails to satisfy the requirements of the agreement entered into pursuant to this section, such student shall pay an amount equal to the total amount of money received by such student pursuant to such agreement plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such student's first course funded by a grant award began. Interest shall begin accruing on the date the student is determined to be out of compliance with the agreement.

Monthly installment payments of such amounts may be made in accordance with rules and regulations of the state board of regents. Such installment payments shall begin six months after the date of the action or circumstances that cause such student to fail to satisfy the requirements of the agreement, as determined by the state board of regents upon the circumstances of each individual case. All moneys received pursuant to this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas adult learner grant program fund.

(2) The state board of regents shall be the sole entity responsible for collecting or recouping any grant moneys required to be repaid by a student who fails to satisfy the requirements of an agreement entered into pursuant to this section.

(3) The state board of regents is authorized to turn any repayment account arising under this act to a designated loan servicer or collection agency to collect on the state board's behalf. The state's involvement shall only be to receive payments from the loan servicer or collection agency at the interest rate prescribed under this subsection.

(4) Eligible postsecondary educational institutions and each state agency are authorized to provide academic, employment, residency and contact information regarding students who received a grant award to the state board of regents for the purposes of:

(A) Determining whether or not a student satisfied the requirements of this act and the agreement entered into pursuant to this section; and

(B) aiding in the collection or recouping of any funds required to be repaid pursuant to this section.

(5) Eligible postsecondary educational institutions shall:

(A) Provide annually to the state board of regents the last known contact information of each student who received a grant award until the requirements of the program and the agreement are complete; and

(B) notify the state board of regents when a student who received a grant award completes the program of study for which the student received the grant or has exhausted the benefits available under this act.

(6) Eligible postsecondary educational institutions shall not be considered a contractor of the state nor shall such institutions be required to participate in tracking, collecting or recouping any moneys required to be repaid by a student who fails to satisfy the requirements of an agreement entered into pursuant to this section.

(c) Any requirement of an agreement entered into pursuant to this section may be postponed for good cause in accordance with rules and regulations of the state board of regents.

(d) A scholarship recipient satisfies the requirements of the adult learner grant program if such recipient:

(1) Completes the requirements of the agreement entered into pursuant to this section;

(2) commences service as a military servicemember after receiving a grant award;

(3) fails to satisfy the requirements after making the best possible effort to do so as determined by the state board of regents;

(4) is unable to obtain employment or continue in employment after making the best possible effort to do so; or

(5) is unable to satisfy the requirements due to disability or death of the grant recipient.

New Sec. 7. (a) Notwithstanding the grant limitation in section 4, and amendments thereto, an individual who has received a Kansas adult learner grant shall qualify for a Kansas workforce retention incentive income tax credit against the individual's tax liability under the Kansas income tax act of \$1,500 if they demonstrate satisfactorily to the secretary of revenue that they:

(1) Successfully completed their adult learner grant eligible program with the awarding of their degree; and

(2) (A) Currently reside in Kansas, have resided in Kansas for at least two consecutive years following completion of their program and are currently employed in the state of Kansas; or

(B) have commenced service as a military servicemember.

(b) To claim the credit, the individual shall submit such information and documentation in the form and manner required by the secretary of revenue.

(c) The individual may claim the income tax credit not later than the 5<sup>th</sup> taxable year after the taxable year in which the individual successfully completed the adult learner grant eligible program with an award of their degree. Any amount of the credit that exceeds the individual's tax liability shall be carried forward once to the next succeeding taxable year as a credit against the individual's income tax liability for such year. Any amount of the credit remaining after being carried forward once shall be forfeited.

(d) On or before March 1, 2024, the secretary of revenue shall adopt rules and regulations to implement and administer the income tax credit established by this section. Such rules and regulations shall include criteria to determine whether an individual who has received a Kansas adult learner grant has fulfilled the requirements to qualify for a tax credit pursuant to this section.

New Sec. 8. There is hereby created in the state treasury the Kansas adult learner grant program fund, which shall be administered by the state board of regents. All expenditures from the Kansas adult learner grant program fund shall be for Kansas adult learner grants awarded pursuant to the Kansas adult learner grant program. All expenditures from the Kansas adult learner grant program fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive officer of the state board of regents or the designee of the executive officer. All moneys received by such board for the Kansas adult learner grant program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas adult learner grant program fund.

New Sec. 9. The provisions of sections 1 through 8, and amendments thereto, shall expire on July 1, 2028.

New Sec. 10. (a) This section shall be known and may be cited as the career technical education credential and transition incentive for employment success act.

(b) Each school district that offers career technical education for students enrolled in any of the grades nine through 12 shall, upon request by any such student, pay any fees charged for any assessment or other examination that is required for such student to obtain an approved industry-sought career technical education credential.

(c) (1) On or before July 1, 2023, and each July 1 thereafter, the state board of education and state board of regents shall jointly conduct a survey of school districts and colleges on which career technical education credentials each school district offers that satisfies the definition of "industry-sought credential" under subsection (d).

(2) On or before July 31, 2023, and each July 31 thereafter, the state board of education and state board of regents, after consultation with the secretary of labor, the secretary of commerce and representatives of industries that recognize career technical education credentials, shall jointly approve a list of industry-sought credentials.

(d) As used in this section:

(1) "College" means any community college, technical college or the Washburn institute of technology; and

(2) "industry-sought credential" means a career technical education credential that is:

(A) Repeatedly referenced in job postings; and

(B) frequently referred to by employers in communications with school districts as a career technical education credential that is in demand.";

On page 2, following line 20, by inserting:

"Sec. 12. K.S.A. 2022 Supp. 74-32,272 is hereby amended to read as follows: 74-32,272. (a) There is hereby established the Kansas promise scholarship program. The state board of regents shall implement and administer the program.

(b) On or before March 1, 2023, the state board of regents shall adopt rules and regulations to implement and administer the Kansas promise scholarship program. Such rules and regulations shall establish:

(1) A scholarship application process, including, but not limited to, accepting scholarship applications throughout the academic year and processing such applications in the order such applications were received;

(2) appeal procedures for denial or revocation of a Kansas promise scholarship;

(3) guidelines to ensure as much as is practicable that, if a student who received a Kansas promise scholarship graduates from a promise eligible program and subsequently enrolls in a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or municipal university, any courses taken by such student shall be transferred to the state educational institution or municipal university and qualify toward the student's baccalaureate degree;

(4) the terms, conditions and requirements that shall be incorporated into each Kansas promise scholarship agreement, which shall not be more stringent than the requirements for Kansas promise scholarship agreements provided in this act;

(5) procedures for requesting and approving medical, military and personal absences from an eligible postsecondary educational institution while receiving a Kansas promise scholarship;

(6) criteria for determining whether a student who received a Kansas promise scholarship fulfilled the residency, employment and repayment requirements included in a Kansas promise scholarship agreement as provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto;

(7) criteria for determining when a student who received a Kansas promise scholarship may be released from the requirements of a Kansas promise scholarship, if there are special circumstances that caused such student to be unable to complete such requirements; and

- (8) that no eligible postsecondary educational institution may:
- (A) Limit scholarship awards to certain promise eligible programs at such institution; or
  - (B) award less than the full Kansas promise scholarship amount for which a student qualifies as long as funds are available in the Kansas promise scholarship program fund.
- (c) The state board of regents shall:
- (1) Identify the promise eligible programs offered by each eligible postsecondary educational institution that are:
    - (A) Within a field of study designated by the eligible postsecondary educational institution pursuant to K.S.A. 2022 Supp. 74-32,273, and amendments thereto; and
    - (B) in any of the following fields of study:
      - (i) Information technology and security;
      - (ii) mental and physical healthcare;
      - (iii) advanced manufacturing and building trades; or
      - (iv) early childhood education and development, elementary education and secondary education;
  - (2) work with community partners, such as community foundations, school districts, postsecondary educational institutions, Kansas business and industry and Kansas economic development organizations to publicize Kansas promise scholarships, including, but not limited to, publicizing eligible postsecondary educational institutions, approved scholarship-eligible educational programs, application procedures and application deadlines;
  - (3) disburse funds to each eligible postsecondary educational institution for the purpose of awarding Kansas promise scholarships;
  - (4) request information from eligible postsecondary educational institutions and any state agency necessary for the administration of this act;
  - (5) accept electronic signatures as sufficient and valid on all forms and agreements required by the Kansas promise scholarship program and any rules and regulations adopted thereunder;
  - (6) enforce Kansas promise scholarship agreements;
  - (7) collect any moneys repaid by students pursuant to K.S.A. 2022 Supp. 74-32,276, and amendments thereto;
  - (8) determine whether students who received a Kansas promise scholarship fulfill the residency, employment and repayment requirements provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto; and
  - (9) ~~beginning in January 2022,~~ annually evaluate the Kansas promise scholarship program and prepare and submit a report to the senate standing committee on education and the house of representatives standing committee on education. Such report shall include, but not be limited to, the total program cost for each promise eligible program at each eligible postsecondary educational institution, the amount of scholarship moneys awarded that went to each promise eligible program, the number of credit hours paid for with scholarship moneys, the amount of scholarship moneys expected to be awarded to each institution for each semester, the number of scholarships awarded, the total amount of scholarship moneys awarded, the amount of scholarship moneys provided for tuition, fees, books and supplies, measures postsecondary educational institutions have taken in working with private business and industry in the state to determine appropriate fields of study and a review of the employment of scholarship

recipients who have completed the Kansas promise scholarship program, including, but not limited to, employment fields and geographic location of such employment.

(d) (1) The state board of regents may designate an associate degree transfer program as an eligible program only if such program is included in:

(A) An established 2+2 agreement with a Kansas four-year postsecondary educational institution; or

(B) an articulation agreement with a Kansas four-year postsecondary educational institution and is part of an established degree pathway that allows a student to transfer at least 60 credit hours from the eligible postsecondary educational institution to a four-year postsecondary educational institution for the completion of an additional 60 credit hours toward a bachelor's degree.

(2) The provisions of this subsection shall be construed and applied retroactively to the enactment of the Kansas promise scholarship program on July 1, 2021.

(e) (1) The state board of regents may remove a promise eligible program from the list of approved promise eligible programs only in accordance with this subsection. If the state board of regents proposes to remove a promise eligible program from such list, the state board of regents shall notify all eligible postsecondary educational institutions of the proposal to remove such program by May 1 of the calendar year that precedes the calendar year in which such program would officially be removed from such list. Within 30 calendar days of receipt, each eligible postsecondary educational institution may appeal such proposed removal to the state board of regents. Following such appeal period, within 45 calendar days, the state board of regents shall consider any such appeal and issue a final decision upon whether the program shall be removed. If the state board of regents issues a final decision to remove such program, the program shall be removed from the list of approved promise eligible programs only after not less than 14 months have elapsed from the date that the state board of regents issued the final decision to remove such program.

(2) The provisions of this subsection shall apply to any program that has been approved by the state board of regents as a promise eligible program on or after July 1, 2021.

Sec. 13. K.S.A. 2022 Supp. 74-32,273 is hereby amended to read as follows: 74-32,273. (a) In addition to the fields of study provided in K.S.A. 2022 Supp. 74-32,272, and amendments thereto, an eligible postsecondary educational institution may designate an additional field of study for awarding a Kansas promise scholarship to meet local employment needs if:

(1) Promise eligible programs within such field of study are two-year associate degree programs or career and technical education certificates or stand-alone programs approved by the state board of regents that correspond to jobs that are high wage, high demand or critical need in the community;

(2) the institution already offers such field of study; and

(3) such field of study is one of the following:

(A) Agriculture;

(B) food and natural resources;

(C) education and training;

(D) law, public safety, corrections and security; or

(E) transportation, distribution and logistics.

(b) An eligible postsecondary educational institution that designates an additional

promise eligible field of study pursuant to this section shall maintain the promise eligible field of study designation for at least three consecutive years. After maintaining such field of study for at least three years, the institution may designate a new promise eligible field of study that corresponds to a high wage, high demand or critical need occupation to replace the existing designated promise eligible field of study. Any newly designated field of study shall be subject to the requirements of this section.

(c) Programs designated by eligible institutions prior to the effective date of this act shall be maintained until all students currently enrolled in such programs have exhausted their promise scholarship eligibility.

Sec. 14. K.S.A. 2022 Supp. 74-32,274 is hereby amended to read as follows: 74-32,274. (a) ~~(1)~~ Subject to appropriations, the amount of a Kansas promise scholarship for a student for each academic year shall be determined as follows:

(1) For a student enrolled in a promise eligible program offered by an eligible public postsecondary educational institution described in K.S.A. 2022 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto, the scholarship amount shall be the aggregate amount of tuition, required fees and the cost of books and required materials for the promise eligible program at the eligible postsecondary educational institution for the academic year in which the student is enrolled and receiving the scholarship minus the aggregate amount of all other aid awarded to such student for such academic year.

(2) ~~For a student is enrolled in a promise eligible program offered by an eligible private postsecondary educational institution described in K.S.A. 2022 Supp. 74-32,271(b)(1)(C), and amendments thereto, the scholarship amount shall be the aggregate amount of tuition, mandatory required fees and the cost of books and materials for such program shall be for the academic year in which the student is enrolled and receiving the scholarship minus the aggregate amount of all other aid awarded to such student for such academic year, except that a scholarship awarded pursuant to this paragraph shall not exceed the average cost of tuition, mandatory required fees and the cost of books and required materials for such promise eligible program when offered by an eligible public postsecondary educational institution described in K.S.A. 2022 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto.~~

(b) Kansas promise scholarships shall only be awarded to an eligible student whose family household income equals \$100,000 or less for a family of one or two, \$150,000 or less for a family of three and, for household sizes above three, a household income that is equal to or less than the family of three amount plus \$4,800 for each additional family member.

(c) (1) Kansas promise scholarship awards shall be used only to pay for up to a total of 68 promise scholarship funded credit hours or a total of \$20,000 in Kansas promise scholarship awards, whichever occurs first, over the lifetime of the student who received the Kansas promise scholarship award regardless of the eligible postsecondary educational institution such student attended.

(2) Kansas promise scholarship awards shall not be used to fund:

(A) Prerequisite classes required for a promise eligible program unless such classes are a designated course within the eligible program; or

(B) any remedial course, as defined in K.S.A. 76-7,151, and amendments thereto, unless such course is offered in a corequisite format.

(d) For each fiscal year, the appropriation made for the Kansas promise scholarship program shall not exceed \$10,000,000.

(e) The state board of regents shall disburse funds based on reimbursement requests from eligible postsecondary educational institutions. Reimbursement requests shall be based on the actual amount of Kansas promise scholarship amounts awarded by an eligible postsecondary educational institution for the appropriate academic period. Any eligible postsecondary educational institution seeking reimbursement shall submit a reimbursement request to the state board of regents on or before September 1, December 1, March 1 and June 1 of each year. The state board of regents shall disburse the appropriate amount of funds to eligible postsecondary educational institutions on September 15, December 15, March 15 and June 15 each year.

(f) As used in this section, "aid" includes any grant, scholarship or financial assistance awards that do not require repayment. "Aid" does not include any military financial educational benefits or any family postsecondary savings account or other qualified tuition program established pursuant to section 529 of the internal revenue code of 1986, as amended.

Sec. 15. K.S.A. 2022 Supp. 74-32,275 is hereby amended to read as follows: 74-32,275. (a) To be eligible for a Kansas promise scholarship, a student shall:

- (1) Be a United States citizen;
- (2) be a Kansas resident;
- (3) (A) have graduated from an accredited Kansas public or private secondary school within the preceding 12 months;
- (B) have completed the requirements for graduation at a non-accredited private secondary school as provided in K.S.A. 72-4345, and amendments thereto, within the preceding 12 months;
- (C) attended an accredited Kansas public or private secondary school or non-accredited private school as provided in K.S.A. 72-4345, and amendments thereto, and obtained a high school equivalency certificate within the preceding 12 months;
- (D) upon application for a scholarship, have been a resident of Kansas for three or more consecutive years as evidenced by the date of issuance on a Kansas-issued identification card or through Kansas voter registration records or Kansas income tax documentation;
- (E) be a dependent child of a military servicemember permanently stationed in another state and who, within the preceding 12 months, graduated from any out-of-state secondary school or obtained a high school equivalency certificate; or
- (F) have been in the custody of the secretary for children and families at any time such student was enrolled in and attending any of the grades nine through 12 and not eligible for assistance under the Kansas foster child educational assistance act, K.S.A. 75-53,111 et seq., and amendments thereto;
- (4) complete the required scholarship application on such forms and in such manner as established by the state board of regents;
- (5) enter into a Kansas promise scholarship agreement pursuant to K.S.A. 2022 Supp. 74-32,276, and amendments thereto;
- (6) complete the free application for federal student aid for the academic year in which the student applies to receive a Kansas promise scholarship. Such submitted application shall be determined to be valid and free of error codes in order to calculate the amount of scholarship to be awarded; and
- (7) enroll in an eligible postsecondary educational institution in a promise eligible program.

(b)(1) To continue to receive a Kansas promise scholarship, a student shall:

(A) Maintain satisfactory academic progress, including a grade point average of 2.0 or higher, or the equivalent thereof, in the courses of the promise eligible program for which the student received a Kansas promise scholarship; and

(B) satisfy the requirements of a Kansas promise scholarship agreement as provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto.

(2) Any student who entered into a Kansas promise scholarship agreement under the provisions of the Kansas promise scholarship act as such act existed at the time such agreement was entered into shall be entitled to continue to use such Kansas promise scholarship and receive scholarship renewals to fulfill the requirements of such student's Kansas promise scholarship agreement. No subsequent revision or amendment to the Kansas promise scholarship act, the rules and regulations adopted thereunder, the list of approved promise eligible programs or the appropriations made pursuant to such act shall have the effect of terminating a student's Kansas promise scholarship agreement solely due to such amendment or revision.

(c) Nothing in this act shall prohibit a student who received postsecondary course credit while enrolled in high school from qualifying for a Kansas promise scholarship.

New Sec. 16. The provisions of the Kansas promise scholarship act, K.S.A. 74-32,271 through 74-32,277, and amendments thereto, shall expire on July 1, 2028.;

Also on page 2, in line 21, by striking "is" and inserting ", 74-32,272, 74-32,273, 74-32,274 and 74-32,275 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "enacting the Kansas adult learner grant act; establishing a grant program for adult learners to pursue certain fields of study; providing for workforce retention income tax credits; creating the Kansas adult learner grant program fund; enacting the career technical education credential and transition incentive for employment success act; requiring school districts to pay for the cost of assessments for students to obtain an approved career technical education credential;"; in line 4, after the semicolon by inserting "expanding the eligible fields of study under the Kansas promise scholarship act; establishing a maximum scholarship amount for certain private postsecondary educational institutions;"; in line 5, after "48-3601" by inserting ", 74-32,272, 74-32,273, 74-32,274 and 74-32,275"; also in line 5, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

ADAM THOMAS

SUSAN ESTES

JERRY STOGSDILL

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

*Conferees on part of Senate*

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **SB 123**.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Erickson, Steffen.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 217** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 17, in line 35, by striking "five" and inserting "two"; in line 39, by striking "five" and inserting "three";

On page 19, in line 36, by striking "five" and inserting "two"; in line 39, by striking "five" and inserting "three";

On page 20, in line 37, by striking "Kansas register" and inserting "statute book";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

*Conferees on part of House*

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

*Conferees on part of Senate*

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 217**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House

amendments to **SB 228** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 2, in line 40, before "The" by inserting "(a)"; in line 42, by striking "(a)" and inserting "(1)"

On page 3, in line 1, by striking "(b)" and inserting "(2)"; in line 2, by striking "the sexes" and inserting "each sex, female and male"; in line 4, by striking "(c)" and inserting "(3)"; following line 8, by inserting:

"(b) As used in this section, "sex" means an individual's biological sex, either male or female, at birth. A "female" is an individual whose biological reproductive system is developed to produce ova, and a "male" is an individual whose biological reproductive system is developed to fertilize the ova of a female.";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

*Conferees on part of House*

KELLIE WARREN

RICK WILBORN

*Conferees on part of Senate*

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 228**.

On roll call, the vote was: Yeas 33; Nays 3; Present and Passing 1; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holscher, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2264** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 9 through 34;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 34; following line 34 by inserting:

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

(1) "Abortion" means the same as defined in K.S.A. 65-6701, and amendments

thereto.

(2) "Medication abortion" means the use or prescription of any drug for the purpose of inducing an abortion.

(3) "Medical emergency" means the same as defined in K.S.A. 65-6701, and amendments thereto.

(b) (1) Any private office, freestanding surgical outpatient clinic, hospital or other medical care facility or clinic or any pharmacy where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post a conspicuous sign that is clearly visible to patients and customers, that is printed with lettering that is legible and at least  $\frac{3}{4}$  of an inch boldfaced type and that reads:

"NOTICE TO PATIENTS HAVING MEDICATION ABORTIONS THAT USE MIFEPRISTONE: Mifepristone, also known as RU-486 or mifeprex, alone is not always effective in ending a pregnancy. It may be possible to reverse its intended effect if the second pill or tablet has not been taken or administered. If you change your mind and wish to try to continue the pregnancy, you can get immediate help by accessing available resources."

The notice shall also include information about the department of health and environment website, required to be maintained under K.S.A. 65-6710, and amendments thereto, and other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(2) (A) Any private office or freestanding surgical outpatient clinic where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post the sign required by paragraph (1) in each patient waiting room and patient consultation room used by patients seeking medication abortions.

(B) A hospital or other medical care facility or clinic where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion that is not a private office or freestanding surgical outpatient clinic shall post the sign required by paragraph (1) in each patient admission area used by patients seeking medication abortions that use mifepristone.

(C) A pharmacy where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post the sign required by paragraph (1) in the area inside the premises where customers are provided prescription medications and on the exterior of the premises in the area where customers are provided prescription medications via a drive-through window.

(c) (1) Except in the case of a medical emergency, no physician shall provide, induce or attempt to provide or induce a medication abortion that use mifepristone without informing the woman, in writing, in the manner prescribed by K.S.A. 65-6709, and amendments thereto, and also either by telephone or in person, at least 24 hours prior to the medication abortion:

(A) That it may be possible to reverse the intended effects of a medication abortion that uses mifepristone, if the woman changes her mind, but that time is of the essence; and

(B) information on reversing the effects of a medication abortion that uses mifepristone is available on the department of health and environment's website, required to be maintained under K.S.A. 65-6710, and amendments thereto, and other relevant telephone and internet resources containing information on where the patient

can obtain timely assistance to attempt to reverse the medication abortion.

(2) After a physician dispenses or provides an initial administration of mifepristone to a patient for the purposes of performing a medication abortion, the physician or an agent of the physician shall provide a legible, written notice to the patient that includes the same information as required under subsection (b)(1).

(d) When a medical emergency compels the performance of a medication abortion that use mifepristone, the physician shall inform the woman, prior to the medication abortion, if possible, of the medical indications supporting the physician's judgment that an abortion is necessary to avert the woman's death or that a 24-hour delay would create serious risk of substantial and irreversible impairment of a major bodily function, excluding psychological or emotional conditions.

(e) Within 90 days after the effective date of this section, the department of health and environment shall cause to be published, in English and in each language that is the primary language of 2% or more of the state's population, in print and on the website required to be maintained under K.S.A. 65-6710, and amendments thereto, comprehensible materials designed to inform women of the possibility of reversing the effects of a medication abortion that uses mifepristone and information on resources available to reverse the effects of a medication abortion that uses mifepristone. The website shall also include other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(f) Upon a first conviction of a violation of this section, a person shall be guilty of a class A person misdemeanor. Upon a second or subsequent conviction of a violation of this section, a person shall be guilty of a severity level 10, person felony.

(g) The department of health and environment shall assess a fine of \$10,000 to any private office, freestanding surgical outpatient clinic, hospital or other clinic or facility that fails to post a sign required by subsection (b). Each day that a medication abortion that uses mifepristone, other than a medication abortion that is necessary to prevent the death of the pregnant woman, is performed in any private office, freestanding surgical outpatient clinic, hospital or other facility or clinic when the required sign is not posted during a portion of that day's business hours when patients or prospective patients are present shall be a separate violation. The department of health and environment shall remit all moneys received from fines under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the state general fund.

(h) (1) If a physician provides a medication abortion using mifepristone in violation of this section, the following individuals may bring a civil action in a court of competent jurisdiction against the physician for actual damages, exemplary and punitive damages and any other appropriate relief:

(A) A woman to whom such medication abortion has been provided;

(B) the father of the unborn child who was subject to such medication abortion; or

(C) any grandparent of the unborn child who was subject to such medication abortion, if the woman was not 18 years of age or older at the time the medication abortion was performed or if the woman died as a result of the medication abortion.

(2) Notwithstanding any other provision of law, any action commenced in accordance with this subsection shall be filed within two years after the later of:

- (A) The date of the discovery of the violation under this section; or
- (B) the conclusion of a related criminal case.
- (3) In any action brought under this section, the court shall award reasonable attorney fees and costs to:
  - (A) A prevailing plaintiff; or
  - (B) a prevailing defendant upon a finding that the action was frivolous and brought in bad faith.
- (4) Except for the woman to whom the medication abortion was provided, no action may be brought by any person whose criminal conduct resulted in the pregnancy, and any such person shall not be awarded any damages in any action brought pursuant to this section.

(i) In any civil or criminal proceeding or action brought under this section, the court shall rule whether the anonymity of any woman to whom a medication abortion has been provided, induced or attempted to be provided or induced shall be preserved from public disclosure, if she does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard the woman's identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman to whom a medication abortion has been provided, induced or attempted to be provided or induced, any person, other than a public official, who brings an action under this section shall do so under a pseudonym. This subsection shall not be construed to conceal the identity of the plaintiff or witnesses from the defendant.

(j) If any provision of this section, or any application thereof to any person or circumstance, is held invalid by court order, then such invalidity shall not affect the remainder of this section and any application thereof to any person or circumstance that can be given effect without such invalid provision or application, and to this end, the provisions of this section are declared to be severable.

(k) The provisions of this section shall be a part of and supplemental to the woman's-right-to-know act.

Sec. 2. K.S.A. 40-2,190 is hereby amended to read as follows: 40-2,190. (a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization, municipal group-funded pool and the state employee health care benefits plan which is delivered, issued for delivery, amended or renewed on or after July 1, 2011, shall exclude coverage for elective abortions, unless the procedure is necessary to preserve the life of the mother. Coverage for abortions may be obtained through an optional rider for which an additional premium is paid. The premium for the optional rider shall be calculated so that it fully covers the estimated cost of covering elective abortions per enrollee as determined on an average actuarial basis.

(b) No health insurance exchange established within this state or any health

insurance exchange administered by the federal government or its agencies within this state shall offer health insurance contracts, plans, or policies that provide coverage for elective abortions, nor shall any health insurance exchange operating within this state offer coverage for elective abortions through the purchase of an optional rider.

(c) For the purposes of this section:

(1) "Abortion" means ~~the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(2) "Elective" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; ~~provided, except~~ that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that ~~she~~ such mother will engage in conduct ~~which that~~ that will result in ~~her~~ such mother's death.

~~(d) The provisions of this section shall be effective from and after July 1, 2011.~~

Sec. 3. K.S.A. 65-4a01 is hereby amended to read as follows: 65-4a01. As used in K.S.A. 65-4a01 through 65-4a12, and amendments thereto:

(a) "Abortion" means ~~the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b) "Ambulatory surgical center" means an ambulatory surgical center as defined in K.S.A. 65-425, and amendments thereto.

(c) "Bodily function" means physical functions only. The term "bodily function" does not include mental or emotional functions.

(d) "Clinic" means any facility, other than a hospital or ambulatory surgical center, in which any second or third trimester; or five or more first trimester abortions are performed in a month.

(e) "Department" means the department of health and environment.

(f) "Elective abortion" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; ~~provided, except~~ that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that ~~she~~ such mother will engage in conduct ~~which that~~ would result in ~~her~~ such mother's death.

(g) "Facility" means any clinic, hospital or ambulatory surgical center; in which any second or third trimester elective abortion; or five or more first trimester elective abortions are performed in a month, excluding any abortion performed due to a medical emergency.

(h) "Gestational age" ~~has the same meaning ascribed thereto~~ means the same as defined in K.S.A. 65-6701, and amendments thereto, and shall be determined pursuant

to K.S.A. 65-6703, and amendments thereto.

(i) "Hospital" means a hospital as defined in ~~subsection (a) or (b) of K.S.A. 65-425(a) or (b),~~ and amendments thereto.

~~(j) "Medical emergency" means a condition that, in a reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death, or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

(k) ~~"Physician" has the same meaning ascribed thereto~~ means the same as defined in K.S.A. 65-6701, and amendments thereto.

(l) "Secretary" means the secretary of the department of health and environment.

Sec. 4. K.S.A. 65-6701 is hereby amended to read as follows: 65-6701. As used in K.S.A. 65-6701 through 65-6721, and amendments thereto:

~~(1) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device means to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy knowing that such termination will, with reasonable likelihood, result in the death of the unborn child.~~

(2) Such use or prescription is not an "abortion" if done with the intent to:

(A) Preserve the life or health of the unborn child;

(B) increase the probability of a live birth;

(C) remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or the unborn child; or

(D) remove an ectopic pregnancy.

(3) "Abortion" does not include the prescription, dispensing, administration, sale or use of any method of contraception.

(b) "Bodily function" means physical functions only. The term "bodily function" does not include mental or emotional functions.

(c) "Counselor" means a person who is: (1) Licensed to practice medicine and surgery; (2) licensed to practice professional or practical nursing; (3) the following persons licensed to practice behavioral sciences: Licensed psychologists, licensed master's level psychologists, licensed clinical psychotherapists, licensed social workers, licensed specialist clinical social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors; (4) a licensed physician assistant; or (5) a currently ordained member of the clergy or religious authority of any religious denomination or society. Counselor does not include the physician who performs or induces the abortion or a physician or other person who assists in performing or inducing the abortion.

(d) "Department" means the department of health and environment.

- (e) "Fertilization" means the fusion of a human spermatozoon with a human ovum.
- (f) "Gestational age" means the time that has elapsed since the first day of the woman's last menstrual period.
- (g) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her such woman's pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that ~~the such~~ woman will engage in conduct ~~which that~~ would result in ~~her such woman's~~ death or in substantial and irreversible physical impairment of a major bodily function.
- (h) "Minor" means a person less than 18 years of age.
- (i) "Physician" means a person licensed to practice medicine and surgery in this state.
- (j) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.
- (k) "Qualified person" means an agent of the physician who is a psychologist, licensed social worker, licensed professional counselor, licensed marriage and family therapist, licensed master's level psychologist, licensed clinical psychotherapist, registered nurse or physician.
- (l) "Unemancipated minor" means any minor who has never been: (1) Married; or (2) freed, by court order or otherwise, from the care, custody and control of the minor's parents.
- (m) "Viable" means that stage of fetal development when it is the physician's judgment according to accepted obstetrical or neonatal standards of care and practice applied by physicians in the same or similar circumstances that there is a reasonable probability that the life of the child can be continued indefinitely outside the mother's womb with natural or artificial life-supportive measures.
- Sec. 5. K.S.A. 65-6708 is hereby amended to read as follows: 65-6708. K.S.A. 65-6701 and K.S.A. 65-6708 to through 65-6715, inclusive, and amendments thereto, and section 1, and amendments thereto, shall be known and may be cited as the woman's right-to-know act.
- Sec. 6. K.S.A. 65-6723 is hereby amended to read as follows: 65-6723. As used in K.S.A. 65-6722 through 65-6724, and amendments thereto:
- (a) "Abortion" means ~~the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~
- (b) "Bodily function" means physical function. The term "bodily function" does not include mental or emotional functions.
- (c) "Department" means the department of health and environment.
- (d) "Gestational age" means the time that has elapsed since the first day of the

woman's last menstrual period.

~~(e) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

(f) "Pain-capable unborn child" means an unborn child having reached the gestational age of 22 weeks or more.

(g) "Physician" means a person licensed to practice medicine and surgery in this state.

(h) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.

Sec. 7. K.S.A. 65-6742 is hereby amended to read as follows: 65-6742. As used in K.S.A. 65-6741 through 65-6749, and amendments thereto:

~~(a) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b)(1) "Dismemberment abortion" means, with the purpose of causing the death of an unborn child, knowingly dismembering a living unborn child and extracting such unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush or grasp a portion of the unborn child's body in order to cut or rip it off.

(2) The term "dismemberment abortion" does not include an abortion ~~which that~~ uses suction to dismember the body of the unborn child by sucking fetal parts into a collection container, ~~although it does include.~~ "Dismemberment abortion" includes an abortion in which a dismemberment abortion, as defined in ~~subsection (b)(1) paragraph (1)~~, is used to cause the death of an unborn child, but suction is subsequently used to extract fetal parts after the death of the unborn child.

~~(c) "Knowingly" shall have the same meaning attributed to such term means the same as defined in K.S.A. 2022 Supp. 21-5202, and amendments thereto.~~

~~(d) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and~~

irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.

Sec. 8. K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; by striking all in lines 2 through 5; in line 6, by striking "rights" and inserting "relating to abortion; requiring certain notifications that a medication abortion may be reversed; excluding certain procedures from the definition of abortion; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

*Conferees on part of Senate*

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

*Conferees on part of House*

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2264**.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

#### **MESSAGE FROM THE HOUSE**

The House adopts the Conference Committee report on **H Sub SB 83**.

The House adopts the Conference Committee report on **H Sub SB 169**.

#### **CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate

amendments to **HB 2021** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 11, by striking all after the second comma; in line 12, by striking all before "the"; also in line 12, by striking all after "shall"; by striking all in lines 13 and 14 and inserting "identify an evidence-based risk and needs assessment to administer"; in line 16, by striking "offending behavior" and inserting "juvenile offender charges related to physical violence, aggression, damage to property or use of life-threatening drugs"; in line 18, by striking all after "The"; in line 19, by striking "allowing" and inserting "secretary for children and families shall administer the assessment described in subsection (a) and shall collaborate with the secretary of corrections to allow"; in line 22, by striking all after "(c)"; by striking all in lines 23 and 24; in line 25, by striking all before the period and inserting "The results of an assessment administered pursuant to this section shall be considered a part of the official file described in K.S.A. 38-2209, and amendments thereto, and shall not be admitted into evidence during the course of a proceeding under the revised Kansas juvenile justice code.

(d) On or before January 1, 2024, the secretary for children and families shall report on the implementation of this section and provide the assessment identified in subsection (a) to the joint committee on corrections and juvenile justice oversight";

Also on page 1, following line 25, by inserting:

"New Sec. 2. (a) The secretary of corrections shall ensure that, when a juvenile is placed in detention, the juvenile shall:

(1) Receive a standardized risk and needs assessment within 72 hours or, if a standardized risk and needs assessment has been conducted on the juvenile, have the appropriate updates made to such assessment within 72 hours;

(2) receive an updated or completed case plan within 48 hours after the standardized risk and needs assessment has been conducted or updated; and

(3) have access to behavioral health services, mental health services and substance use treatment disorder services while in detention.

(b) The secretary of corrections shall coordinate with court services, community corrections and juvenile detention centers to provide the services required by this section in a timely manner. If the juvenile is in the custody of the secretary for children and families, the secretary of corrections shall coordinate with the secretary for children and families when providing such services. The cost of the assessments conducted or the services provided pursuant to subsection (a) may be assessed to the department of corrections.

(c) The secretary of corrections shall collect data related to the assessments conducted and the services provided pursuant to this section and shall report findings to the joint committee on corrections and juvenile justice on or before July 1 of each year.

Sec. 3. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal

offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, K.S.A. 74-8810(j), K.S.A. 79-3321(m) or (n), or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child's home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care placement" means the placement of a child in the home of an adult with whom the child or the child's parent already has close emotional ties.

(r) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Qualified residential treatment program" means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

(bb) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(cc) "Relative" means a person related by blood, marriage or adoption.

(dd) "Runaway" means a child who is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian.

(ee) "Secretary" means the secretary for children and families or the secretary's designee.

(ff) "Secure facility" means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(gg) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

(1) Be photographed, filmed or depicted in pornographic material; or

(2) be subjected to aggravated human trafficking, as defined in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2022 Supp. 21-6419 or 21-6422, and amendments thereto.

(hh) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ii) "Staff secure facility" means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(jj) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(kk) "Youth residential facility" means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(ll) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns."

On page 3, following line 8, by inserting:

"Sec. 5. K.S.A. 38-2231 is hereby amended to read as follows: 38-2231. (a) A law enforcement officer or court services officer shall take a child under 18 years of age into custody when:

(1) The law enforcement officer or court services officer has a court order commanding that the child be taken into custody as a child in need of care; or

(2) the law enforcement officer or court services officer has probable cause to believe that a court order commanding that the child be taken into custody as a child in need of care has been issued in this state or in another jurisdiction.

(b) A law enforcement officer shall take a child under 18 years of age into custody when the officer:

(1) Reasonably believes the child will be harmed if not immediately removed from the place or residence where the child has been found;

(2) has probable cause to believe that the child is a runaway or a missing person or a verified missing person entry for the child can be found in the national crime information center missing person system;

(3) reasonably believes the child is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child; or

(4) reasonably believes the child is experiencing a ~~mental~~ behavioral health crisis and is likely to cause harm to self or others.

(c) (1) If a person provides shelter to a child whom the person knows is a runaway, such person shall promptly report the child's location either to a law enforcement agency or to the child's parent or other custodian.

(2) If a person reports a runaway's location to a law enforcement agency pursuant to this section and a law enforcement officer of the agency has reasonable grounds to believe that it is in the child's best interests, the child may be allowed to remain in the place where shelter is being provided, subject to subsection (b), in the absence of a court order to the contrary. If the child is allowed to so remain, the law enforcement agency shall promptly notify the secretary of the child's location and circumstances.

(d) Except as provided in subsections (a) and (b), a law enforcement officer may temporarily detain and assume temporary custody of any child subject to compulsory school attendance, pursuant to K.S.A. 72-3120, and amendments thereto, during the hours school is actually in session and shall deliver the child pursuant to K.S.A. 38-2232(g), and amendments thereto.

Sec. 6. K.S.A. 38-2243 is hereby amended to read as follows: 38-2243. (a) Upon notice and hearing, the court may issue an order directing who shall have temporary custody and may modify the order during the pendency of the proceedings as will best serve the child's welfare.

(b) A hearing pursuant to this section shall be held within 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, following a child having been taken into protective custody.

(c) Whenever it is determined that a temporary custody hearing is required, the court shall immediately set the time and place for the hearing. Notice of a temporary custody hearing shall be given to all parties and interested parties.

(d) Notice of the temporary custody hearing shall be given at least 24 hours prior to the hearing. The court may continue the hearing to afford the 24 hours prior notice or, with the consent of the party or interested party, proceed with the hearing at the

designated time. If an order of temporary custody is entered and the parent or other person having custody of the child has not been notified of the hearing, did not appear or waive appearance and requests a rehearing, the court shall rehear the matter without unnecessary delay.

(e) Oral notice may be used for giving notice of a temporary custody hearing where there is insufficient time to give written notice. Oral notice is completed upon filing a certificate of oral notice.

(f) The court may enter an order of temporary custody after determining there is probable cause to believe that the: (1) Child is dangerous to self or to others; (2) child is not likely to be available within the jurisdiction of the court for future proceedings; (3) health or welfare of the child may be endangered without further care; (4) child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto; (5) child is experiencing a ~~mental~~ behavioral health crisis and is in need of treatment; or (6) child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(g) (1) Whenever the court determines the necessity for an order of temporary custody the court may place the child in the temporary custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (h);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility;

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto;

(F) after written authorization by a community mental health center, a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto; or

(G) the secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the temporary custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the temporary custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a

child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated to be a child in need of care solely pursuant to K.S.A. 38-2202(d)(9) or (d)(10), and amendments thereto, the child may be placed in a secure facility, but the total amount of time that the child may be held in such facility under this section and K.S.A. 38-2242, and amendments thereto, shall not exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible. The order of temporary custody shall remain in effect until modified or rescinded by the court or an adjudication order is entered but not exceeding 60 days, unless good cause is shown and stated on the record.

(h) If the court issues an order of temporary custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child; or attempting to visit, contact, harass or intimidate the child, other family members or witnesses. Such restraining order shall be served by personal service pursuant to K.S.A. 38-2237(a), and amendments thereto, on any alleged perpetrator to whom the order is directed.

(i) (1) The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that:

(A) (i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, upon making the order the court shall provide the secretary with a written copy.

(j) If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a child support determination pursuant to K.S.A. 38-2277, and amendments thereto.

Sec. 7. K.S.A. 38-2302 is hereby amended to read as follows: 38-2302. As used in this code, unless the context otherwise requires:

(a) "Commissioner" means the secretary of corrections or the secretary's designee.

(b) "Community supervision officer" means any officer from court services, community corrections or any other individual authorized to supervise a juvenile on an immediate intervention, probation or conditional release.

(c) "Conditional release" means release from a term of commitment in a juvenile correctional facility for an aftercare term pursuant to K.S.A. 38-2369, and amendments thereto, under conditions established by the secretary of corrections.

(d) "Court-appointed special advocate" means a responsible adult, other than an attorney appointed pursuant to K.S.A. 38-2306, and amendments thereto, who is appointed by the court to represent the best interests of a child, as provided in K.S.A.

38-2307, and amendments thereto, in a proceeding pursuant to this code.

(e) "Detention risk assessment tool" means a risk assessment instrument adopted pursuant to K.S.A. 75-7023(f), and amendments thereto, used to identify factors shown to be statistically related to a juvenile's risk of failing to appear in court or reoffending pre-adjudication and designed to assist in making detention determinations.

(f) "Educational institution" means all schools at the elementary and secondary levels.

(g) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a)(1) through (5), and amendments thereto.

(h) "Evidence-based" means practices, policies, procedures and programs demonstrated by research to produce reduction in the likelihood of reoffending.

(i) "Graduated responses" means a system of community-based sanctions and incentives developed pursuant to K.S.A. 75-7023(h) and K.S.A. 38-2392, and amendments thereto, used to address violations of immediate interventions, terms and conditions of probation and conditional release and to incentivize positive behavior.

(j) "Immediate intervention" means all programs or practices developed by the county to hold juvenile offenders accountable while allowing such offenders to be diverted from formal court processing pursuant to K.S.A. 38-2346, and amendments thereto.

(k) "Institution" means the Larned juvenile correctional facility and the Kansas juvenile correctional complex.

(l) "Investigator" means an employee of the department of corrections assigned by the secretary of corrections with the responsibility for investigations concerning employees at the juvenile correctional facilities and juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(m) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building as an adult jail or lockup, unless the facility meets all applicable licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(n) "Juvenile" means a person to whom one or more of the following applies, the person: (1) Is 10 or more years of age but less than 18 years of age; (2) is alleged to be a juvenile offender; or (3) has been adjudicated as a juvenile offender and continues to be subject to the jurisdiction of the court.

(o) "Juvenile correctional facility" means a facility operated by the secretary of corrections for the commitment of juvenile offenders.

(p) "Juvenile corrections officer" means a certified employee of the department of corrections working at a juvenile correctional facility assigned by the secretary of corrections with responsibility for maintaining custody, security and control of juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(q) "Juvenile detention facility" means a public or private facility licensed pursuant

to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, which is used for the lawful custody of alleged or adjudicated juvenile offenders.

(r) "Juvenile intake and assessment worker" means a responsible adult trained and authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(s) "Juvenile offender" means a person who commits an offense while 10 or more years of age but less than 18 years of age which if committed by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto, or who violates the provisions of K.S.A. 41-727, K.S.A. 74-8810(j) or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, but does not include:

(1) A person 14 or more years of age who commits a traffic offense, as defined in K.S.A. 8-2117(d), and amendments thereto;

(2) a person 16 years of age or over who commits an offense defined in chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(3) a person under 18 years of age who previously has been:

(A) Convicted as an adult under the Kansas criminal code;

(B) sentenced as an adult under the Kansas criminal code following termination of status as an extended jurisdiction juvenile pursuant to K.S.A. 38-2364, and amendments thereto; or

(C) convicted or sentenced as an adult in another state or foreign jurisdiction under substantially similar procedures described in K.S.A. 38-2347, and amendments thereto, or because of attaining the age of majority designated in that state or jurisdiction.

(t) "Law enforcement officer" means any person who by virtue of that person's office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(u) "Overall case length limit" when used in relation to a juvenile adjudicated a juvenile offender means the maximum jurisdiction of the court following disposition on an individual case. Pursuant to K.S.A. 38-2304, and amendments thereto, the case and the court's jurisdiction shall terminate once the overall case length limit expires and may not be extended.

(v) "Parent" when used in relation to a juvenile, includes a guardian and every person who is, by law, liable to maintain, care for or support the juvenile.

(w) "Probation" means a period of community supervision ordered pursuant to K.S.A. 38-2361, and amendments thereto, overseen by either court services or community corrections, but not both.

(x) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(y) "Reintegration plan" means a written document prepared in consultation with the child's parent or guardian that:

(1) Describes the reintegration goal, which, if achieved, will most likely give the juvenile and the victim of the juvenile a permanent and safe living arrangement;

(2) describes the child's level of physical health, mental and emotional health and educational functioning;

(3) provides an assessment of the needs of the child and family;

(4) describes the services to be provided to the child, the child's family and the child's foster parents, if appropriate;

(5) includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned;

(6) includes measurable objectives and time schedules for achieving the plan; and

(7) if the child is in an out of home placement:

(A) Provides a statement for the basis of determining that reintegration is determined not to be a viable option if such a determination is made and includes a plan for another permanent living arrangement;

(B) describes available alternatives;

(C) justifies the alternative placement selected, including a description of the safety and appropriateness of such placement; and

(D) describes the programs and services that will help the child prepare to live independently as an adult.

(z) "Risk and needs assessment" means a standardized instrument administered on juveniles to identify specific risk factors and needs shown to be statistically related to a juvenile's risk of reoffending and, when properly addressed, can reduce a juvenile's risk of reoffending.

(aa) "Secretary" means the secretary of corrections or the secretary's designee.

(bb) "Technical violation" means an act that violates the terms or conditions imposed as part of a probation disposition pursuant to K.S.A. 38-2361, and amendments thereto, and that does not constitute a new juvenile offense or a new child in need of care violation pursuant to K.S.A. 38-2202(d), and amendments thereto.

(cc) "Warrant" means a written order by a judge of the court directed to any law enforcement officer commanding the officer to take into custody the juvenile named or described therein.

(dd) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for juveniles and which is licensed pursuant to article 5 of chapter 65 or article 70 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(ee) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns."

On page 4, by striking all in lines 38 through 43;

By striking all on pages 5 through 11;

On page 12, by striking all in lines 1 through 18; following line 18, by inserting:

"Sec. 9. K.S.A. 38-2330 is hereby amended to read as follows: 38-2330. (a) A law enforcement officer may take a juvenile into custody when:

(1) Any offense has been or is being committed in the officer's view;

(2) the officer has a warrant commanding that the juvenile be taken into custody;

(3) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein;

(4) the officer has probable cause to believe that the juvenile is committing or has committed an act which, if committed by an adult, would constitute:

(A) A felony; or

(B) a misdemeanor and: (i) The juvenile will not be apprehended or evidence of the offense will be irretrievably lost unless the juvenile is immediately taken into custody; or (ii) the juvenile may cause injury to self or others or damage to property or may be injured unless immediately taken into custody;

(5) the officer has probable cause to believe that the juvenile has violated an order for electronic monitoring as a term of probation; or

(6) the officer receives a written statement pursuant to subsection (c).

(b) A court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may take a juvenile into custody when: (1) There is a warrant commanding that the juvenile be taken into custody; or (2) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein.

(c) Any court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may request a warrant by giving the court a written statement setting forth that the juvenile, in the judgment of the court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code:

(1) (A) Has violated the condition of the juvenile's conditional release from detention or probation, for the third or subsequent time; and

(B) poses a significant risk of physical harm to another or damage to property; or

(2) has absconded from supervision.

(d) (1) A juvenile taken into custody by a law enforcement officer or other person authorized pursuant to subsection (b) shall be brought without unnecessary delay to the custody of the juvenile's parent or other custodian, unless there are reasonable grounds to believe that such action would not be in the best interests of the child or would pose a risk to public safety or property.

(2) If the juvenile cannot be delivered to the juvenile's parent or custodian, the officer may:

(A) Issue a notice to appear pursuant to subsection (g);

(B) contact or deliver the juvenile to an intake and assessment worker for completion of the intake and assessment process pursuant to K.S.A. 75-7023, and amendments thereto; or

(C) if the juvenile is determined to not be detention eligible based on a standardized detention risk assessment tool and is experiencing a ~~mental~~ behavioral health crisis, deliver a juvenile to a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto, after written authorization by a community mental health center.

(3) It shall be the duty of the officer to furnish the county or district attorney and the juvenile intake and assessment worker if the officer has delivered the juvenile to the worker or issued a notice to appear consistent with subsection (g), with all of the information in the officer's possession pertaining to the juvenile, the juvenile's parent or other persons interested in or likely to be interested in the juvenile and all other facts and circumstances which caused the juvenile to be arrested or taken into custody.

(e) In the absence of a court order to the contrary, the court or officials designated by the court, the county or district attorney or the law enforcement agency taking a juvenile into custody shall direct the release prior to the time specified by K.S.A. 38-2343(a), and amendments thereto. In addition, pursuant to K.S.A. 75-7023 and K.S.A. 38-2346, and amendments thereto, a juvenile intake and assessment worker shall direct the release of a juvenile prior to a detention hearing after the completion of the intake and assessment process.

(f) Whenever a person 18 years of age or more is taken into custody by a law enforcement officer for an alleged offense which was committed prior to the time the person reached the age of 18, the officer shall notify and refer the matter to the court for proceedings pursuant to this code, except that the provisions of this code relating to detention hearings shall not apply to that person. If such person is eligible for detention, and all suitable alternatives to detention have been exhausted, the person shall be detained in jail. Unless the law enforcement officer took the person into custody pursuant to a warrant issued by the court and the warrant specifies the amount of bond or indicates that the person may be released on personal recognizance, the person shall be taken before the court of the county where the alleged act took place or, at the request of the person, the person shall be taken, without delay, before the nearest court. The court shall fix the terms and conditions of an appearance bond upon which the person may be released from custody. The provisions of article 28 of chapter 22 of the Kansas Statutes Annotated and K.S.A. 22-2901, and amendments thereto, relating to appearance bonds and review of conditions and release shall be applicable to appearance bonds provided for in this section.

(g) (1) Whenever a law enforcement officer detains any juvenile and such juvenile is not immediately taken to juvenile intake and assessment services, the officer may serve upon such juvenile a written notice to appear. Such notice to appear shall contain the name and address of the juvenile detained, the crime charged and the location and phone number of the juvenile intake and assessment services office where the juvenile will need to appear with a parent or guardian.

(2) The juvenile intake and assessment services office specified in such notice to appear must be contacted by the juvenile or a parent or guardian no more than 48 hours after such notice is given, excluding weekends and holidays.

(3) The juvenile detained, in order to secure release as provided in this section, must give a written promise to call within the time specified by signing the written notice prepared by the officer. The original notice shall be retained by the officer and a copy shall be delivered to the juvenile detained and that juvenile's parent or guardian if such juvenile is under 18 years of age. The officer shall then release the juvenile.

(4) The law enforcement officer shall cause to be filed, without unnecessary delay, a complaint with juvenile intake and assessment services in which a juvenile released pursuant to paragraph (3) is given notice to appear, charging the crime stated in such notice. A copy shall also be provided to the district or county attorney. If the juvenile released fails to contact juvenile intake and assessment services as required in the notice to appear, juvenile intake and assessment services shall notify the district or county attorney.

(5) The notice to appear served pursuant to paragraph (1) and the complaint filed pursuant to paragraph (4) may be provided to the juvenile in a single citation.";

On page 13, in line 25, after "to" by inserting "a repeated, intentional effort to"; also

in line 25, after "juvenile" by inserting "as reported by the evidence-based services provider";

On page 14, in line 15, by striking "90" and inserting "45"; in line 39, after the period by inserting "The court services officer or community correctional services officer shall immediately notify the court and shall submit in writing a report showing in what manner the juvenile has violated probation, conditional release or a condition of sentence.";

On page 15, in line 19, after "court" by inserting "if the judge makes a finding that the juvenile is demonstrating escalating use of physical violence, aggression, weapons, damage to property or life-threatening substances"; following line 37, by inserting:

"Sec. 12. K.S.A. 65-536 is hereby amended to read as follows: 65-536. (a) A juvenile crisis intervention center is a facility that provides short-term observation, assessment, treatment and case planning, and referral for any juvenile who is experiencing a ~~mental~~ behavioral health crisis and is likely to cause harm to self or others. Such centers shall:

(1) Address or ensure access to the broad range of services to meet the needs of a juvenile admitted to the center, including, but not limited to, medical, psychiatric, psychological, social ~~and~~, educational and substance abuse-related services;

(2) not include construction features designed to physically restrict the movements and activities of juveniles, but shall have a design, structure, interior and exterior environment, and furnishings to promote a safe, comfortable and therapeutic environment for juveniles admitted to the center;

(3) implement written policies and procedures that include the use of a combination of supervision, inspection and accountability to promote safe and orderly operations; and

(4) implement written policies and procedures for staff monitoring of all center entrances and exits.

(b) A juvenile crisis intervention center shall provide treatment to juveniles admitted to such center, as appropriate while admitted.

(c) A juvenile crisis intervention center may be on the same premises as that of another licensed facility. If the juvenile crisis intervention center is on the same premises as that of another licensed facility, the living unit of the juvenile crisis intervention center shall be maintained in a separate, self-contained unit. No juvenile crisis intervention center shall be in a city or county jail or a juvenile detention facility.

(d) (1) A juvenile may be admitted to a juvenile crisis intervention center when:

(A) The head of such center determines such juvenile is in need of treatment and likely to cause harm to self or others;

(B) a qualified mental health professional from a community mental health center has given written authorization for such juvenile to be admitted to a juvenile crisis intervention center; and

(C) no other more appropriate treatment services are available and accessible to the juvenile at the time of admission.

(2) A juvenile may be admitted to a juvenile crisis intervention center for not more than 30 days. A parent with legal custody or legal guardian of a juvenile placed in a juvenile crisis intervention center may remove such juvenile from the center at any time. If the removal may cause the juvenile to become a child in need of care pursuant to K.S.A. 38-2202(d), and amendments thereto, the head of a juvenile crisis intervention

center may report such concerns to the department for children and families or law enforcement or may request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children. If the head of a juvenile crisis intervention center determines the most appropriate action is to request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children, the head of such center shall make such request and shall keep such juvenile in the center for an additional 24-hour period to initiate the appropriate proceedings.

(3) When a juvenile is released from a juvenile crisis intervention center, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged shall be involved with discharge planning. Within seven days prior to the discharge of a juvenile, the head of the juvenile crisis intervention center shall give written notice of the date and time of the discharge to the patient, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged, and the patient's parent, custodian or legal guardian.

(e) (1) Upon admission to a juvenile crisis intervention center, and if the juvenile is a medicaid recipient, the managed care organization shall approve services as recommended by the head of the juvenile crisis intervention center. Within 14 days after admission, the head of the juvenile crisis intervention center shall develop a plan of treatment for the juvenile in collaboration with the managed care organization.

(2) Nothing in this subsection shall prohibit the department of health and environment from administering or reimbursing state medicaid services to any juvenile admitted to a juvenile crisis intervention center pursuant to a waiver granted under section 1915(c) of the federal social security act, provided that such services are not administered through a managed care delivery system.

(3) Nothing in this subsection shall prohibit the department of health and environment from reimbursing any state medicaid services that qualify for reimbursement and that are provided to a juvenile admitted to a juvenile crisis intervention center.

(4) Nothing in this subsection shall impair or otherwise affect the validity of any contract in existence on July 1, 2018, between a managed care organization and the department of health and environment to provide state medicaid services.

(5) On or before January 1, 2019, the secretary of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(f) The secretary for children and families, in consultation with the attorney general, shall promulgate rules and regulations to implement the provisions of this section on or before January 1, 2019.

(g) The secretary for children and families shall annually report information on outcomes of juveniles admitted into juvenile crisis intervention centers to the joint committee on corrections and juvenile justice oversight, the corrections and juvenile justice committee of the house of representatives and the judiciary committee of the senate. Such report shall include:

(1) The number of admissions, releases and the lengths of stay for juveniles admitted to juvenile crisis intervention centers;

(2) services provided to juveniles admitted;

(3) needs of juveniles admitted determined by evidence-based assessment; and  
 (4) success and recidivism rates, including information on the reduction of involvement of the child welfare system and juvenile justice system with the juvenile.

(h) The secretary of corrections may enter into memorandums of agreement with other cabinet agencies to provide funding, not to exceed \$2,000,000 annually, from the evidence-based programs account of the state general fund or other available appropriations for juvenile crisis intervention services.

(i) For the purposes of this section:

(1) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns;

(2) "head of a juvenile crisis intervention center" means the administrative director of a juvenile crisis intervention center or such person's designee;

~~(2)~~(3) "juvenile" means a person who is less than 18 years of age;

~~(3)~~(4) "likely to cause harm to self or others" means that a juvenile, by reason of the juvenile's behavioral health condition, mental disorder or mental condition is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage;

~~(4)~~(5) "treatment" means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner; and

~~(5)~~(6) "qualified mental health professional" means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, a licensed masters level psychologist, a licensed clinical psychotherapist, a licensed marriage and family therapist, a licensed clinical marriage and family therapist, a licensed professional counselor, a licensed clinical professional counselor, a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(j) This section shall be part of and supplemental to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.";

On page 17, in line 1, by striking "mental" and inserting "behavioral"; in line 9, after the second "centers" by inserting ", community health centers, the youth advocate program, jobs for America's graduates Kansas transition services"; in line 41, before "The" by inserting "(1)"; in line 43, after "(a)" by inserting "and promising practices";

On page 18, in line 2, after "fund" by inserting "after other expenditures for evidence-based programs are made"; following line 8, by inserting:

"(2) Child welfare case management providers shall not be eligible to receive grants under this subsection.";

Also on page 18, in line 19, after "K.S.A." by inserting "38-2202,"; also in line 19, after the first comma by inserting "38-2231, 38-2243, 38-2302,"; also in line 19, by striking "38-2361" and inserting "38-2330"; also in line 19, after "38-2392," by

inserting "65-536,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "requiring the secretary of corrections to provide assessments and certain services for juveniles in detention; changing the criteria used to refer and admit juveniles to juvenile crisis intervention centers; defining behavioral health crisis;"; in line 6, by striking all after the semicolon; in line 7, by striking all before "amending"; also in line 7, after "K.S.A." by inserting "38-2202,"; also in line 7, after "38-2203," by inserting "38-2231, 38-2243, 38-2302,"; also in line 7, by striking "38-2361" and inserting "38-2330"; in line 8, after "38-2392," by inserting "65-536,";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

*Conferees on part of Senate*

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

*Conferees on part of House*

The motion of Senator Warren to adopt the conference committee report on **HB 2021** failed.

On roll call, the vote was: Yeas 17; Nays 18; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Masterson, O'Shea, Petersen, Pyle, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Baumgardner, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Olson, Peck, Pettey, Pittman, Reddi, Sykes, Tyson, Ware.

Present and Passing: Kloos, Ryckman.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was not adopted

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2060** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2060, as follows:

On page 4, following line 23, by inserting:

"Sec. 2. On and after July 1, 2023, K.S.A. 74-3265 is hereby amended to read as follows: 74-3265. (a) Within the limits of appropriations for osteopathic medical service scholarships, and in accordance with the provisions of this section, the state board of regents may award such scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited or pre-accredited schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy and

who enter into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto.

(b) Osteopathic medical service scholarships shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the scholarship the payment of an amount not to exceed the maximum amount of a loan authorized to be made under the medical student loan act.

(c) Osteopathic medical service scholarships shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited or pre-accredited school of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy may be awarded a scholarship for each year the student enters into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto, up to a maximum of four years. For each year a student is awarded a scholarship, the student shall engage in the practice of medicine and surgery in Kansas for the period of time specified in ~~subsection (a)(3) of~~ K.S.A. 74-3266(a)(3), and amendments thereto, unless such obligation is otherwise satisfied as provided in K.S.A. 74-3268, and amendments thereto.

(d) The state board of regents shall not award more than ~~15~~ 25 osteopathic medical service scholarships in any year to persons who have not previously been awarded such a scholarship and, in any case, the state board shall not award more than ~~60~~ 80 such scholarships in any year. In selecting Kansas residents to be awarded osteopathic medical service scholarships, the state board shall give primary consideration to students commencing their first year of instruction at accredited or pre-accredited schools of osteopathic medicine and thereafter shall consider students in later years of instruction.

Sec. 3. On and after July 1, 2023, K.S.A. 74-3268 is hereby amended to read as follows: 74-3268. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed during any period of time: (1) ~~During any Of~~ required ~~period of~~ active military service; (2) ~~during any period~~ of service as a part of volunteers in service to America (VISTA); (3) ~~during any period~~ of service in the peace corps; (4) ~~during any period~~ of service commitment to the United States public health service; (5) ~~during any period~~ of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on December 31, 2000; (6) ~~during any period of time~~ the person obligated is engaged solely in the teaching of medicine; (7) ~~during any period of time~~ the person obligated is engaged solely in medical research; (8) ~~during any period of time~~ the person obligated is unable because of temporary medical disability to practice medicine and surgery; (9) ~~during any period of time~~ the person obligated is on job-protected leave under the federal family and medical leave act of 1993; ~~or~~ (10) ~~during any period of time~~ the state board of regents determines that the person obligated is unable because of special circumstances to practice medicine and surgery; ~~or~~ (11) not longer than one year during which the person participates in a healthcare-related fellowship program.

(b) ~~Except for~~ ~~clauses~~ subsection (a)(8), (9) and (10), an obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall not be postponed more than five years from the

time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(8)~~ during the period of time the medical disability exists. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(9)~~ during the period of time the person obligated remains on FMLA leave. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(10)~~ during the period of time the state board of regents determines that the special circumstances exist. The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to practice medicine and surgery, and shall determine the documentation required to prove the existence of such circumstances.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery has been completed in accordance with the agreement; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery; (4) if the person obligated fails to satisfy the requirements for a degree of doctor of osteopathy after making the best effort possible to obtain such degree; or (5) if the person obligated fails to satisfy all requirements for a permanent license to practice medicine and surgery in Kansas or any other jurisdiction or has been denied a license after the person has applied for a license and has made the best effort possible to obtain a license."

On page 8, following line 28, by inserting:

"Sec. 6. On and after July 1, 2023, K.S.A. 76-381 is hereby amended to read as follows: 76-381. As used in K.S.A. 76-380 through 76-386, and amendments thereto:

(a) "Act" means the medical student loan act;

(b) "approved postgraduate residency training program" means a residency training program in general pediatrics, general internal medicine, family medicine, family practice, emergency medicine, obstetrics and gynecology, general psychiatry, child psychiatry or fellowship training in geriatric medicine;

(c) "service commitment area" means: (1) Any community within any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county; (2) any state medical care facility or institution; (3) any medical center operated by the veterans administration of the United States; (4) ~~the full-time faculty of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry if serving as full-time faculty as provided in K.S.A. 76-384(c), and amendments thereto;~~ or (5) any community within Wyandotte county for purposes of any practice obligation under an agreement entered into by a person who is enrolled for the first time after July 1, 2004, in a course of study leading to the medical degree; and

(d) "state medical care facility or institution" includes, but is not limited to, the Kansas state school for the ~~visually handicapped blind~~, the Kansas state school for the deaf, any institution under the secretary for aging and disability services, as defined by in K.S.A. 76-12a01, and amendments thereto, any institution ~~under the commissioner of~~

juvenile justice as defined by in K.S.A. 38-2302, and amendments thereto, the Kansas soldiers' home, the Kansas veterans' home and any correctional institution under the secretary of corrections, as defined by in K.S.A. 75-5202, and amendments thereto, but shall not include any state educational institution under the state board of regents, as defined by in K.S.A. 76-711, and amendments thereto, except as specifically provided by statute.

Sec. 7. On and after July 1, 2023, K.S.A. 76-382 is hereby amended to read as follows: 76-382. (a) There is hereby established the medical student loan program at the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may make medical student loans in accordance with the provisions of ~~this~~ the medical student loan act to undergraduate students enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine who enter into a written medical student loan agreement with the university of Kansas school of medicine in accordance with K.S.A. 76-383, and amendments thereto.

(c) Each medical student loan agreement under ~~this~~ the medical student loan act shall provide to the person receiving the loan the payment of all tuition and a stipend for living expenses in an amount of up to \$2,000 per month for each month enrolled in such school during a year. Subject to the maximum amount, the amount of the monthly stipend shall be determined on an annual basis by the student receiving the loan.

(d) Subject to the provisions of appropriation acts, medical student loan agreements under ~~this~~ the medical student loan act may be entered into on an annual basis and shall provide the payment of the amounts specified under subsection (c) for one year unless otherwise terminated before such period of time. Subject to the provisions of appropriation acts, an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine may receive a separate loan under ~~this~~ the medical student loan act for each separate year the student enters into a written medical student loan agreement with the university of Kansas school of medicine in accordance with K.S.A. 76-383, and amendments thereto. Loans may be awarded retroactively for any academic year that a student has completed successfully at the university of Kansas medical school; but for which a loan had not previously been awarded. Retroactive loans shall be in an amount equal to the amount of tuition paid by the student, plus a stipend in an amount not to exceed the maximum amount of the stipend for such academic year multiplied by the number of months for which the student was enrolled at the medical school during such year. For each separate year a student receives a loan under ~~this~~ the medical student loan act, the student shall engage in the full-time practice of medicine and surgery in an appropriate service commitment area for a period of 12 months unless such obligation is otherwise satisfied as provided in K.S.A. 76-386, and amendments thereto.

(e) Medical student loans shall be awarded on a priority basis as follows: First, to qualified applicants who are Kansas residents at the time of entry into the university of Kansas school of medicine; and second, to qualified applicants who are not Kansas residents at the time of entry into the university of Kansas school of medicine. As used in this subsection, "Kansas residents" means persons who meet the residence requirements established in K.S.A. 76-729, and amendments thereto.

(f) Subject to appropriations, the university of Kansas school of medicine shall

enter into medical student loan agreements with ~~six~~ up to 12 individuals who commit to satisfy obligations to engage in the full-time practice of medicine and surgery in a service commitment area by:

(1) Serving as a full-time faculty member of the university of Kansas school of medicine in general psychiatry or child psychiatry pursuant to K.S.A. 76-384(c), and amendments thereto; or

(2) performing at least 100 hours per month of on-site mental ~~health care~~ healthcare pursuant to K.S.A. 76-384(d), and amendments thereto.

(g) For any student who has entered into a medical student loan agreement pursuant to the medical student loan act, the university of Kansas school of medicine shall not prohibit or otherwise create any substantial impediment to such student switching between approved postgraduate residency training programs.

Sec. 8. On and after July 1, 2023, K.S.A. 76-383 is hereby amended to read as follows: 76-383. A medical student loan agreement entered into by the university of Kansas school of medicine and an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine for the purpose of receiving a medical student loan under this act shall require that the person receiving the loan:

(a) Complete the required course of instruction and receive the degree of doctor of medicine and apply for, enter and complete an approved postgraduate residency training program;

(b) apply for and obtain a license to practice medicine and surgery in Kansas;

(c) except as otherwise provided in K.S.A. 76-384, and amendments thereto, engage in the full-time practice of medicine and surgery for a period of 12 months within a service commitment area, ~~except as otherwise provided in K.S.A. 76-384(c), and amendments thereto, for service as a full-time faculty member of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry;~~

(d) commence such full-time practice of medicine and surgery within nine months after completion of an approved postgraduate residency training program and licensure in a service commitment area and continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement;

(e) agree that the service commitment for each agreement entered into under this act is in addition to the service commitment contained in any other agreement ~~which~~ that has been or may be entered into under this act for the purpose of obtaining a medical student loan or under other agreements for the purpose of obtaining scholarship aid;

(f) maintain records and make reports to the university of Kansas school of medicine to document the satisfaction of the obligation under such agreement to engage in the full-time practice of medicine and surgery within a service commitment area and to continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement; and

(g) upon failure to satisfy an agreement to engage in the full-time practice of medicine and surgery within a service commitment area for the required period of time under any such agreement, the person receiving a medical student loan under this act shall repay amounts to the university of Kansas school of medicine as provided in

K.S.A. 76-385, and amendments thereto.

Sec. 9. On and after July 1, 2023, K.S.A. 76-385 is hereby amended to read as follows: 76-385. (a) (1) Except as otherwise provided in paragraphs (2), ~~(3), (4) and (5) through (6)~~ or in K.S.A. 76-386, and amendments thereto, upon the failure of any person to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time under any medical student loan agreement entered into under this act, such person shall repay to the university of Kansas school of medicine in accordance with subsection (b) an amount equal to the total of: (A) The amount of money received by such person pursuant to such agreement, or the amount of money determined under rules and regulations of the university of Kansas; plus (B) annual interest at a rate of 15% from the date such money was received.

(2) Any person who fails to apply for and enter an approved postgraduate residency training program shall be required to repay all moneys received pursuant to an agreement entered into for any such medical student loan, plus accumulated interest at an annual rate of 15% and shall commence such repayment in accordance with subsection (b) within 90 days of graduation from the school of medicine or upon termination or completion of a residency training program ~~which that~~ does not comply with the provisions of this act, whichever is later.

(3) If at any time a person is failing to satisfy an obligation to engage in the full-time practice of medicine and surgery in Kansas for the required period of time under an agreement entered into under this act because such person is engaged in the full-time practice of medicine and surgery in a state other than Kansas, or within Kansas in an area that is not a service commitment area or in the practice of medicine and surgery which does not otherwise comply with the agreement entered into under this act, and if such person is subject to or currently making repayments under this section and if such person subsequently commences the practice of medicine and surgery in this state which is in a service commitment area or which otherwise complies with the agreement entered into under this act, the balance of the repayment amount, including interest thereon, from the time of such commencement of practice until the obligation of such person is satisfied, or until the time such person again becomes subject to repayments, shall be waived. All repayment amounts due prior to such commencement of practice, including interest thereon, shall continue to be payable as provided in this section. If subsequent to such commencement of practice, the person fails to satisfy such obligation, the person again shall be subject to repayments, including interest thereon, as otherwise provided in this section.

(4) If, during the time a person is satisfying the service requirement of an agreement entered into under this act, such person desires to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state and remain in satisfaction of such service requirement, such person may make application to the chancellor of the university of Kansas or the designee of the chancellor for permission to engage in less than such full-time practice of medicine and surgery. Upon a finding of exceptional circumstances made by the chancellor of the university of Kansas, or the designee of the chancellor, such person may be authorized to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state for the remaining required period of time under such agreement and for an additional period of time which shall be equal to the length of the

originally required period of time multiplied by the decimal fraction which is equal to the reduction of the full-time practice of medicine and surgery to be authorized hereunder, multiplied by two. In any such determination of the period required to be engaged in the less than full-time practice of medicine and surgery, the decimal fraction utilized shall not exceed 0.5 and any person granted permission to engage in less than the full-time practice of medicine and surgery in accordance with the provisions of this paragraph shall be required to engage in at least the half-time practice of medicine and surgery.

(5) Any person who enters but fails to complete an approved postgraduate residency training program, or who enters and completes an approved postgraduate residency training program but fails to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time shall be required to repay all money received pursuant to an agreement entered into under this act ~~a~~ for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b) within 90 days of failure to complete an approved postgraduate residency training program or 90 days of failure to commence qualifying practice, whichever occurs first. Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.

(6) For any person who entered and completed an approved postgraduate residency training program in obstetrics and gynecology, if during the time such person is satisfying the service requirement of an agreement entered into pursuant to this act, such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, such person shall be deemed to have failed to complete such person's service requirement and shall be required to repay all money received pursuant to an agreement entered into under this act for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b).

(b) For any repayment requirement under this section, the person shall repay an amount totaling the entire amount to be repaid under all such agreements for which such obligations are not satisfied, including all amounts of interest at the rate prescribed. The repayment shall be made in not more than 10 equal annual installment payments.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreements, as determined by the university of Kansas school of medicine based upon the circumstances of each individual case. In all cases, if an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all amounts of interest at the rate prescribed.

(d) The total repayment obligation imposed under all agreements entered into under this act may be satisfied by the person who entered into the agreements at any time

prior to graduation from the university of Kansas school of medicine by making a single lump-sum payment equal to the total of: (1) The entire amount to be repaid under all such agreements upon failure to satisfy the obligations under such agreements to practice in Kansas; plus (2) all amounts of interest thereon at the rate prescribed to the date of payment.

(e) The university of Kansas school of medicine shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the medical loan repayment fund.

(f) There is hereby created in the state treasury the medical loan repayment fund. All expenditures from the medical loan repayment fund shall be for medical student loans under the medical student loan act and for the expenses of administration of the medical student loan act and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or by a person designated by the chancellor, except that expenditures shall not be made from the medical loan repayment fund for medical student loans for medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology, general psychiatry or child psychiatry. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the medical scholarship and loan repayment fund to the medical loan repayment fund. On the effective date of this act, all liabilities of the medical scholarship and loan repayment fund are hereby imposed on the medical loan repayment fund and the medical scholarship and loan repayment fund is hereby abolished. Whenever the medical scholarship and loan repayment fund, or words of like effect, is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the medical loan repayment fund.

(g) There is hereby established in the state treasury the psychiatry medical loan repayment fund. All moneys credited to the psychiatry medical loan repayment fund shall be expended only for medical student loans for general psychiatry or child psychiatry students under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the psychiatry medical loan repayment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

(h) There is hereby established in the state treasury the OBGYN medical loan repayment fund. All moneys credited to the OBGYN medical loan repayment fund shall be expended only for medical student loans for medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the OBGYN medical loan repayment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

~~(h)~~(i) Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents

to the medical loan repayment fund, the OBGYN medical loan repayment fund or the psychiatry medical loan repayment fund or expended for any purposes related thereto.

Sec. 10. On and after July 1, 2023, K.S.A. 76-386 is hereby amended to read as follows: 76-386. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed during any period of time for: (1) ~~During any~~ Required period of active military service of the person obligated or such person's spouse; (2) ~~during any period of~~ service as a part of volunteers in service to America (VISTA); (3) ~~during any period of~~ service in the peace corps; (4) ~~during any period of~~ service commitment to the United States public health service; (5) ~~during any period of~~ religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986; ~~or (6) during any period of~~ temporary medical disability during which the person obligated is unable because of such medical disability to practice medicine and surgery; or (7) not more than one year during which the person participates in a healthcare-related fellowship program.

(b) ~~Except for clause (6) of this subsection (a)(6),~~ an obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed ~~under clause (6) of this subsection (a)(6)~~ during the period of time the medical disability exists.

~~(b)(c)~~ An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.

Sec. 11. On and after July 1, 2023, K.S.A. 76-387 is hereby amended to read as follows: 76-387. (a) (1) There is hereby established the Kansas medical residency bridging program at the university of Kansas school of medicine, which shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons ~~in primary care or mental health care to:~~

(A) Enter and complete medical residency training programs in general pediatrics, general internal medicine, family medicine, family practice, ~~obstetrics and gynecology,~~ general psychiatry or child psychiatry that are operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; ~~and a person under subsection (i) to~~

(B) locate their medical practice in rural Kansas communities upon completion of such residency training.

(2) The Kansas medical residency bridging program shall be administered by the institute for rural health care of the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may enter into residency bridging loan agreements, ~~in accordance with the provisions of this section:~~ (A) with any person who has completed the first year of a ~~primary care or mental health care~~ medical residency training program in general

pediatrics, general internal medicine, family medicine, family practice, obstetrics and gynecology, general psychiatry or child psychiatry that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; and ~~(B) with a person under subsection (i).~~

(c) Subject to the provisions of appropriation acts, each person entering into a residency bridging loan agreement under this section shall receive a payment of \$5,000 each year of ~~primary care or mental health care~~ medical residency training, or any part of a year of such training, after the date that the residency bridging loan agreement is entered into by the resident and the university of Kansas school of medicine and, upon completion of the ~~primary care or mental health care~~ medical residency training program, a payment of \$6,000.

(d) Each residency bridging loan agreement shall require that the person receiving the loan:

(1) Complete the ~~primary care or mental health care~~ medical residency training program;

(2) engage in the full-time practice of medicine and surgery in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte for three years under a practice commitment agreement;

(3) commence such full-time practice of medicine and surgery within 90 days after completing the ~~primary care or mental health care~~ medical residency training program; and

(4) upon failure to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with the provisions of the residency bridging loan agreement and this section, the person receiving the loan under this section shall repay to the university of Kansas school of medicine, within 90 days of such failure, the amount equal to the amount of ~~money~~ moneys received by such person from the university of Kansas school of medicine, less credits earned, under such agreement plus interest at the annual rate of 15% from the date such ~~money was~~ moneys were received. Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.

(e) An obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be postponed during: (1) Any period of temporary medical disability during which the person obligated is unable to practice medicine and surgery because of such medical disability; (2) any period of not more than one year during which the person participates in a healthcare-related fellowship program; (3) any required period of active military service of the person obligated or such person's spouse; or ~~(2) (4)~~ (4) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice commitment agreement.

(f) Except as otherwise provided in subsection (g), an obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with such agreement has been completed; (2) if the person obligated dies; or (3) if, because of permanent

physical disability, the person obligated is unable to practice medicine and surgery.

(g) For any person who completed a medical residency training program in obstetrics and gynecology pursuant to this section, such person's obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be deemed to not be satisfied if such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, at any time in which such person is obligated to satisfy the provisions of such person's loan agreement made pursuant to this section.

(h) The university of Kansas school of medicine may adopt additional provisions, requirements or conditions for participation in the Kansas medical residency bridging program as are practicable and appropriate to accomplish the purposes of the program or as may be required for the implementation or administration of the program and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

~~(h)~~(i) As used in this section, "practice commitment agreement" means an agreement to commence the full-time practice of medicine and surgery in a city located in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county, that:

~~(1) Was entered into: (A) by a person in a primary care or mental health care medical residency training program in general pediatrics, general internal medicine, family medicine, family practice, obstetrics and gynecology, general psychiatry or child psychiatry, that is operated by or affiliated with the university of Kansas school of medicine or other such primary care or mental health care medical residency training program that is operated in Kansas and approved by the state board of healing arts; or (B) by a person under subsection (i), with the city where such practice is to commence or another contracting entity other than the university of Kansas school of medicine that is representative of the interests of such city; and~~

(2) provides benefits to such person that have an aggregate monetary value equal to or greater than the aggregate amount of payments to such person from the university of Kansas school of medicine under a residency bridging loan agreement under this section.

~~(i) A person who graduated from the university of Kansas school of medicine prior to July 1, 1992, who has completed the first year of a primary care residency training program in family practice which is operated outside the state of Kansas and who has entered into a practice commitment agreement with the north central Kansas health care foundation is eligible to enter into a residency bridging loan agreement under this section.~~

(j) Notwithstanding any other provision of law to the contrary, no moneys appropriated for the Kansas medical residency bridging program at the university of Kansas school of medicine, except moneys appropriated to the OBGYN medical residency bridging fund or the rural health bridging psychiatry fund, shall be expended for residency bridging loan agreements for medical residents training in obstetrics and gynecology, general psychiatry or child psychiatry.

(k) Subject to appropriations, the university of Kansas school of medicine shall

enter into residency bridging loan agreements with three medical residents training in general psychiatry or child psychiatry.

(l) There is hereby established in the state treasury the rural health bridging psychiatry fund. All moneys credited to the rural health bridging psychiatry fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in general psychiatry or child psychiatry pursuant to ~~K.S.A. 76-387, and amendments thereto~~ this section. All expenditures from the rural health bridging psychiatry fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

(m) There is hereby established in the state treasury the OBGYN medical residency bridging fund. All moneys credited to the OBGYN medical residency bridging fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in obstetrics and gynecology pursuant to this section. All expenditures from the OBGYN medical residency bridging fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

(n) Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents to the rural health bridging psychiatry fund or the OBGYN medical residency bridging fund or expended for any purposes related to the Kansas medical residency bridging program."

On page 8, in line 30, after the first "K.S.A." by inserting "74-3265, 74-3268,"; also in line 30, after "74-32,434" by inserting ", 76-381, 76-382, 76-383, 76-385, 76-386, 76-386a and 76-387";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "educational"; in line 2, by striking "institutions" and inserting "and postgraduate programs"; in line 3, after the semicolon by inserting "increasing the number of osteopathic medical service scholarships; including obstetrics and gynecology in the medical student loan act and medical residency bridging program; increasing the number of loan agreements in the medical student loan act; establishing the OBGYN medical loan repayment fund and the OBGYN medical residency bridging fund"; in line 7, by striking the first "and" and inserting ", 74-3265, 74-3268,"; also in line 7, after "74-32,434" by inserting ", 76-381, 76-382, 76-383, 76-385, 76-386 and 76-387"; in line 8, after "sections" by inserting "; also repealing K.S.A. 76-386a";

And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

*Conferees on part of Senate*

KRISTEY WILLIAMS

BRENDA LANDWEHR

VALDENIA WINN

*Conferees on part of House*

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **S Sub HB 2060**.

On roll call, the vote was: Yeas 32; Nays 3; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holland, Olson, Sykes.

Present and Passing: Francisco, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 12 through 30; following line 30, by inserting:

"WHEREAS, The legislature affirms that a quality, individualized education provides an essential pathway to success, not only for each student but for the prosperity and stability of the state; and

WHEREAS, Every child in Kansas is unique, with diverse learning needs and thus shall be granted educational opportunities and enrichment in a learning environment that best aligns with their needs; and

WHEREAS, The Kansas education enrichment program act affirms that equity in education means that all children shall receive the enrichment and instruction they need regardless of their socioeconomic status and racial or cultural background; and

WHEREAS, The Kansas education enrichment program act provides meaningful education enrichment and opportunity that lifts up children while simultaneously entrusting parents to direct the education of their children.";

On page 2, in line 1, by striking "\$592,740,238" and inserting "\$520,380,818"; in line 17, after "(b)" by inserting "There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

Special education and related services aid ARPA fund.....No limit

*Provided*, That expenditures shall be made from the special education and related services aid ARPA fund for payments and grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422 and

72-3425, and amendments thereto: *Provided however*, That no expenditure shall be made from such fund for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality.

(c)";

Also on page 2, in line 26, by striking "10" and inserting "11"; in line 33, after the semicolon by inserting "one member appointed by the state department of education who is a professional in early childhood developmental services and provides services for a tiny-K program;"; by striking all in lines 41 through 43;

By striking all on pages 3 through 16;

On page 17, by striking all in lines 1 through 16; following line 16, by inserting:

"New Sec. 2.

#### LEGISLATIVE COORDINATING COUNCIL

(a) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,359,420 from the legislature employment security fund of the legislative coordinating council to the special education and related services aid ARPA fund of the department of education.

New Sec. 3. (a) During fiscal year 2023, if any state agency has been transferred funds or been approved to use funds from the American rescue plan - state fiscal relief federal fund (252-00-3756) of the governor's department, as recommended by the strengthening people and revitalizing Kansas executive committee and authorized by the state finance council pursuant to section 28(d) of chapter 81 of the 2022 Session Laws of Kansas, for the purpose of establishing and maintaining a program that provides for individual learning loss grants to K-12 students with a focus on students in low-income families or in foster care, and such funds have not been expended or are not legally obligated to be expended pursuant to a signed agreement or contract, including any unencumbered funds, such state agency shall not expend or encumber any such funds: *Provided*, That on the effective date of this act, the approval by the state finance council pursuant to state finance council resolution 22-741 for allocations, expenditures and distributions for such learning loss program from the American rescue plan - state fiscal relief federal fund is hereby declared null and void and shall have no force and effect: *Provided further*, That on the effective date of this act, the authority of the state finance council, pursuant to section 28(d) of chapter 81 of the 2022 Session Laws of Kansas, to approve expenditures or obligations for such learning loss program is hereby declared null and void and shall have no force and effect: *And provided further*, That on July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$47,000,000 from the American rescue plan - state fiscal relief federal fund (252-00-3756) of the governor's department to the special education and related services ARPA fund of the department of education.

New Sec. 4. (a) Section 4 et seq., and amendments thereto, shall be known and may be cited as the Kansas education enrichment program act.

(b) As used in the Kansas education enrichment program act:

(1) "Award" means a Kansas education enrichment program award provided pursuant to section 7, and amendments thereto, to a qualified student who attends a public school.

(2) "BASE aid" means the same as defined in K.S.A. 72-5132, and amendments thereto, for the current school year.

(3) "Grant" means a Kansas education enrichment program grant established in an account on behalf of a qualified student pursuant to section 8, and amendments thereto.

(4) "Immediate family member" means a parent, sibling or any other relative of a qualified student who lives in the same residence as the qualified student.

(5) "Parent" means a Kansas resident who is the parent, stepparent, legal guardian, custodian or other person with authority to act on behalf of a qualified student.

(6) "Program" means the Kansas education enrichment program established pursuant to the Kansas education enrichment program act.

(7) "Qualified education service provider" means any business, organization or individual that provides educational goods or services that are authorized for purchase or reimbursement under the program. "Qualified education service provider" includes any school located in Kansas that is a nonpublic elementary or secondary school that has made application and received approval to be a qualified education service provider under the program.

(8) "Qualified student" means a resident of Kansas who:

(A) Is enrolled in and attending kindergarten or any of the grades one through 12 at any public or nonpublic elementary or secondary school located in this state; and

(B) (i) has a household family income of 250% or less of the federal poverty level;

(ii) attended a school building of a school district in the preceding school year that was closed by the school district pursuant to K.S.A. 72-1431, and amendments thereto, and the student is required to travel 15 miles or more from the student's residence to the school building that such student is assigned to attend in the current school year; or

(iii) has previously received a grant pursuant to the program and enters into a written agreement with the treasurer to receive a subsequent grant under the program.

(9) "School district" means a school district organized under the laws of this state.

(10) "Treasurer" means the state treasurer or the state treasurer's designee.

New Sec. 5. (a) The Kansas education enrichment program is hereby established to recognize the right of parents to choose the educational environment that best serves their children and to provide educational enrichment opportunities to students attending public and nonpublic schools throughout the state. The program shall be a continuation of and supplemental to the Kansas education enrichment program as approved by the state finance council in resolution No. 22-741.

(b) On July 1, 2023, all administrative functions, duties, liabilities, debts, rights and obligations relating to the Kansas education enrichment program approved by the state finance council in resolution No. 22-741 shall be transferred to and attach to the office of the state treasurer. Upon the transfer of such program to the office of the state treasurer, the treasurer shall maintain and be subject to the terms and conditions of any contract with a third-party vendor that was executed for purposes of the Kansas education enrichment program prior to the transfer.

(c) The Kansas education enrichment program shall provide the following two options for qualified students to access educational instructional and enrichment opportunities:

(1) For qualified students that will enroll in a public elementary or secondary school during the school year, a \$1,000 award per qualified student to pay for educational goods and services from a qualified education service provider as provided in section 7, and amendments thereto; and

(2) for qualified students that will enroll in a nonpublic elementary or secondary

school, a grant equal to 95% of the BASE aid amount for the applicable school year for the qualified student to pay for educational goods and services from a qualified education service provider as provided in section 8, and amendments thereto.

New Sec. 6. (a) The treasurer shall have the following powers and duties for administration of the Kansas education enrichment program:

- (1) Oversee and manage the program;
- (2) establish and administer grants and awards on behalf of qualified students participating in the program;
- (3) maintain and execute contracts as necessary to carry out the requirements of the program;
- (4) expend federal funds allocated to the program pursuant to section 5, and amendments thereto; and
- (5) exercise such other powers and perform such other functions and duties provided in the Kansas education enrichment program act.

(b) The treasurer shall:

- (1) Accept applications throughout the school year;
- (2) enroll a qualified student in the program after receipt of a completed application and any other required documentation;
- (3) notify parents of the student's enrollment in the program within 30 calendar days after receipt of completed application forms and other required documentation;
- (4) maintain an explanation of at least the following information on the treasurer's website and provide an electronic or paper copy of such information to any parent whose child is participating in the program:

(A) The allowable uses of money provided through an award or grant pursuant to the program;

(B) the responsibilities of a parent of a qualified student participating in the program; and

(C) the effect of participation in the program by qualified students with an individualized education program (IEP) or an education plan under section 504 of the rehabilitation act of 1973, 29 U.S.C. § 794 (section 504 plan).

(c) The treasurer and parents may provide any notifications, applications or documents required by this act electronically. The treasurer shall confirm receipt of all such notifications whether provided by paper copy or electronically.

(d) The treasurer shall not disclose a qualified student's identification or distribute or release any personally identifiable data of a qualified student to a third party without the written consent of such student's parent. Written consent shall be obtained for each instance of such disclosure, distribution or release.

(e) The treasurer shall conduct or contract to conduct annual financial audits and random quarterly financial audits of awards and grants to ensure compliance with the Kansas education enrichment program. The treasurer shall determine the scope of any such audit and shall oversee any such audit.

(f) The treasurer may adopt rules and regulations to administer and implement the Kansas education enrichment program.

New Sec. 7. (a) To enroll in the program for the purpose of receiving a \$1,000 award for a student who attends a public school during the school year, the parent of a qualified student shall submit an application on a form and in a manner determined by the treasurer and enter into a written agreement with the treasurer in accordance with

this section.

(b) The written agreement for a qualified student who applies for an award shall provide the following:

(1) The award shall only be used to pay for educational goods and services from a qualified education service provider in accordance with this section; and

(2) a qualified student shall receive only one award and shall not be eligible for any subsequent award but shall continue to be eligible to receive a grant pursuant to section 8, and amendments thereto, except that the qualified student shall not receive a grant in the same school year that such qualified student received an award pursuant to this section.

(c) A parent shall only expend award moneys to pay for the following educational goods and services from a qualified education service provider:

(1) Day or overnight in-person camps that are primarily academic in nature and provide subjects related to the student's academic curriculum;

(2) online or in-person language classes offered by a licensed organization;

(3) purchases or rentals of instruments, purchases of sheet music, music books and music materials and music lessons;

(4) tutoring services provided by a tutor who is not an immediate family member of the qualified student;

(5) curriculum materials, school supplies and authorized educational technology devices; and

(6) any other educational goods or services authorized by the treasurer that is not prohibited pursuant to subsection (d).

(d) No award moneys shall be used for any of the following expenditures:

(1) Sporting goods or services, including sports camps;

(2) driver's education-related fees or services;

(3) non-academic lessons or courses including personal hygiene, self-care, self-esteem, or other non-academic lessons or courses;

(4) tuition or school registration fees;

(5) goods or services provided by immediate family members;

(6) field trips or admission tickets to museums, zoos, theaters, historical landmarks or other locations;

(7) fees associated with transportation services, including parking fees;

(8) clothing or uniforms;

(9) food or meals; or

(10) daycare services.

(e) Any award provided to a qualified student may be used by the parent in the online education marketplace established to pay for educational goods and services from a qualified education service provider. A parent shall submit a request to the treasurer to approve any expenditures that have not been pre-approved by the treasurer.

(f) Upon approval of a written agreement pursuant to this section, the treasurer shall authorize a \$1,000 award in the name of the qualified student.

(g) A written agreement entered into pursuant to this section shall have a term of 12 months. Such agreement may be suspended or terminated at any time upon a determination that:

(1) Moneys have been used for purposes other than those allowed under the program; or

(2) the student is no longer a resident of Kansas.

(h) A parent may terminate a written agreement at any time. To terminate a written agreement, the parent shall notify the treasurer in writing of such termination.

(i) When a written agreement is terminated, the treasurer shall terminate the award and transfer any remaining balance of such award moneys to the state general fund.

New Sec. 8. (a) To receive a Kansas education enrichment program grant to pay for educational goods and services from a qualified education service provider on behalf of a qualified student who attends a nonpublic school, the parent of a qualified student shall submit an application on a form and in a manner determined by the treasurer and enter into a written agreement with the treasurer in accordance with this section.

(b) The written agreement for a qualified student who seeks to receive a grant pursuant to the program shall provide the following:

(1) A portion of moneys shall be used to provide an education for the qualified student in at least the subjects of reading, grammar, mathematics, social studies and science;

(2) to receive grant moneys under the program, the qualified student shall not enroll full time in a school of a school district;

(3) no immediate family member of a qualified student may charge or collect payment, tuition or fees for tutoring or educational therapies or services provided to such qualified student;

(4) any grant moneys shall only be used by the parent of a qualified student to pay for educational goods and services from a qualified education service provider authorized pursuant to this section;

(5) any payments from grant moneys for a student's enrollment at a nonpublic school shall only be made to a qualified education service provider;

(6) the qualified student may accept a scholarship from a scholarship granting organization pursuant to the tax credit for low income students scholarship program act, K.S.A. 72-4351 et seq., and amendments thereto, if the qualified student meets the requirements of both programs; and

(7) the parent of a qualified student shall comply with all requirements of the program.

(c) A parent shall only expend grant moneys to pay for the following educational goods and services from a qualified education service provider:

(1) Enrollment costs charged by a qualified education service provider;

(2) textbooks and other supplies required by a qualified education service provider;

(3) educational therapies or services provided by a licensed provider;

(4) tutoring services provided by a tutor who is not an immediate family member of the qualified student;

(5) curriculum materials;

(6) uniforms if required for attendance;

(7) enrollment costs charged by an online learning program;

(8) contracted services from a public school district offered outside of the traditional school year and hours for students;

(9) fees for any nationally standardized norm-referenced achievement test, advanced placement examination or examination related to admission to a postsecondary institution;

(10) fees or costs required to apply for or acquire occupational licenses, certificates,

apprenticeships or other professional qualifications;

(11) fees for transportation services approved by the treasurer that are used for transportation to and from a qualified education service provider;

(12) computer hardware and technological devices primarily used for educational purposes, including personal computers, laptops, tablet devices, microscopes, telescopes and printers; and

(13) any other educational goods or services approved by the treasurer.

(d) Moneys provided through a grant under the program shall not be expended for the following:

(1) Sporting goods or services, including sports camps; or

(2) for qualified students schooled at home, goods or services provided by an immediate family member.

(e) Upon approval of the applicable written agreement to receive a grant, the treasurer shall authorize such grant amount in the name of the qualified student. To continue receiving grant moneys, the parent of a qualified student shall renew the qualified student's written agreement on an annual basis. Only one grant shall be provided to each qualified student per school year. A parent acting on behalf of more than one qualified student shall have a separate written agreement for each qualified student.

(f) The treasurer may suspend or terminate a written agreement at any time upon a determination that:

(1) Moneys have been used for purposes other than those allowed under the program; or

(2) the student is no longer a resident of Kansas.

(g) A parent may terminate a written agreement at any time. To terminate a written agreement, the parent shall notify the treasurer in writing of such termination.

(h) When a written agreement is terminated, the treasurer shall terminate the grant and transfer any remaining balance of such grant moneys to the state general fund.

(i) Each written agreement entered into pursuant to this section shall have a term of 12 months. Each qualified student's grant moneys shall remain active until:

(1) A written agreement is terminated;

(2) a parent does not renew the qualified student's written agreement;

(3) the student enrolls in a school district on a full-time basis;

(4) the student is no longer a qualified student under the program; or

(5) moneys have been used for purposes other than those allowed under the program.

(j) When the treasurer determines that a written agreement is no longer active, the treasurer shall terminate the grant and transfer any remaining balance of such grant moneys to the state general fund.

(k) Any unencumbered grant moneys that have not been expended on behalf of a qualified student at the end of a school year shall roll over to the next succeeding school year if the student and parent of the student renew a written agreement to continue to receive a grant and participate in the program pursuant to this section.

(l) The treasurer shall not allow any personal deposits to be made to a grant account on behalf of a qualified student.

(m) The treasurer may refer cases of fraudulent or substantial misuse of moneys to the attorney general for purposes of collection or criminal investigation.

New Sec. 9. (a) (1) There is hereby established in the state treasury the Kansas education enrichment program fund to be administered by the treasurer. Moneys in the Kansas education enrichment program fund shall be expended only for the purposes established in the Kansas education enrichment program act. All moneys received pursuant to subsection (b) shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas education enrichment program fund.

(2) On or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the Kansas education enrichment program fund interest earnings based on:

(1) The average daily balance of moneys in the Kansas education enrichment program fund; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(b) Notwithstanding the provisions of the Kansas education enrichment program established pursuant to state finance council resolution No. 22-741, of the \$50,000,000 state fiscal recovery funds of the American rescue plan act of 2021, public law 117-2, allocated by the state finance council for the purposes of the Kansas education enrichment program, or any other federal funds identified and approved for such purposes, the state treasurer shall make expenditures of such federal funds to administer the Kansas education enrichment program to provide awards pursuant to section 7, and amendments thereto, and grants pursuant to section 8, and amendments thereto, to qualified students.

(c) On or before the first day of each month, the treasurer shall determine whether the total amount of the federal fiscal recovery funds of the American rescue plan act of 2021, public law 117-2, and any other federal funds identified and made available for the purposes of the program are insufficient to continue to provide the awards and grants on behalf of qualified students pursuant to the program. If the treasurer determines that the amount of such federal funds is insufficient for such purposes, the treasurer shall certify such fact to the director of the budget. On and after such certification, the treasurer shall determine annually the total amount to be transferred to the Kansas education enrichment program fund by multiplying an amount equal to the BASE aid by the total number of qualified students participating in the program pursuant to section 8, and amendments thereto, and by multiplying \$1,000 by the number of qualified students who will receive an award under the program for the succeeding school year pursuant to section 7, and amendments thereto. The treasurer shall certify the resulting total amount to the director of accounts and reports on or before August 1 of each year. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the Kansas education enrichment program fund. Transfers made in accordance with this section shall be considered demand transfers from the state general fund.

(d) (1) Except as provided in paragraph (2), if a qualified student has entered into a written agreement pursuant to section 8, and amendments thereto, the treasurer shall allocate to a qualified student a grant equal to 95% of the BASE aid.

(2) If a qualified student enrolls in a school district on a part-time basis, such qualified student or such student's parent shall notify the treasurer, who shall prorate the grant amount allocated pursuant to paragraph (1).

(3) The treasurer may deduct 5% of the BASE aid per qualified student participating in the program as reimbursement for the costs of administering the program.

(e) If a qualified student has been approved to receive an award pursuant to section 7, and amendments thereto, the treasurer shall allocate \$1,000 per qualified student to pay for educational goods and services from a qualified education service provider as provided in section 7, and amendments thereto, in accordance with the provisions of the program for the school year that such student was approved to receive the award.

(f) During each regular legislative session, the treasurer shall provide to the legislature an estimate of the amount required to fund the awards and grants for the next succeeding fiscal year.

New Sec. 10. (a) Nothing in the Kansas education enrichment program act shall be construed to permit any governmental agency to exercise control or supervision over any nonpublic school or home school. Any nonpublic school, home school or tutor that accepts a payment from a parent of a qualified student participating in the program is not an agent of this state.

(b) The content or religious nature of a product or service may not be considered when determining whether payment for such product or service is an allowable expenditure.

(c) If the parent of a qualified student who is schooled at home makes application to enroll in the Kansas educational enrichment program, such application does not constitute registration pursuant to K.S.A. 72-4346, and amendments thereto. Nothing in the Kansas education enrichment program act shall be construed to require a parent to register with the state department of education pursuant to K.S.A. 72-4346, and amendments thereto.

(d) The state department of education shall include information about the program on the department's homepage and provide a link on such homepage to the information provided by the treasurer regarding the program.";

On page 18, in line 12, by striking all after "student"; in line 13, by striking all before "pursuant" and inserting "who is receiving a grant pursuant to the Kansas education enrichment program established"; also in line 13, by striking "2" and inserting "4";

By striking all on pages 21 through 27;

On page 28, by striking all in lines 1 through 40; in line 41, by striking "and 72-5132 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all after "the"; by striking all in lines 4 through 8; in line 9, by striking all before the semicolon and inserting "Kansas education enrichment program; authorizing educational award moneys to certain students who attend public schools and educational grant moneys to certain students who attend nonpublic schools; establishing the Kansas education enrichment program fund; requiring certain transfers thereto"; in line 10, by striking "and 72-5132"; also in line 10, by striking "sections" and inserting "section";

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

BRENDA LANDWEHR

VALDENIA WINN

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

The motion of Senator Baumgardner to adopt the conference committee report on **H Sub SB 83** failed.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 17; Nays 20; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Claeys, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Masterson, Peck, Petersen, Steffen, Straub, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Longbine, O'Shea, Olson, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Thompson, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was not adopted.

The Call was lifted.

Senator Sykes having voted on the prevailing side, moved to reconsider previous action on **H Sub SB 83**. Motion failed.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 169** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole (Corrected) amendments, as follows:

On page 1, by striking all in lines 21 through 35;

On page 2, by striking all in lines 1 through 15; in line 21, by striking "\$80,000" and inserting "\$60,000"; in line 39, by striking "years prior to tax"; also in line 39, by striking "2024" and inserting "2023"; in line 40, by striking "and"; in line 41, by striking "and all tax years thereafter,"; in line 42, by striking "1.625%" and inserting "1.94%"; following line 42, by inserting:

"(C) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.63% of such net income; and";

On page 3, in line 13, by striking "years prior to tax"; also in line 13, by striking "2024" and inserting "2023"; in line 15, by striking "and"; in line 16, by striking "and all tax years thereafter,"; in line 18, by striking "1.61%" and inserting "1.93%"; following line 18, by inserting:

"(C) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.61% of such net income; and";

On page 5, in line 21, by striking "5.25%" and inserting "5.15%"; in line 34, by striking all after "follows"; by striking all in line 35; in line 36, by striking "thereto";

On page 6, by striking all in lines 20 through 43;

By striking all on pages 7 through 15;

On page 16, by striking all in lines 1 through 13; following line 13, by inserting:

"Sec. 5. K.S.A. 2022 Supp. 79-32,117, as amended by section 5 of 2023 House Bill

No. 2197, is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility,

claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes

and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid

or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2022 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986,

as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (A) For all taxable years beginning after December 31, 2007, and ending before January 1, 2023, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.~~

(B) For all taxable years beginning after December 31, 2022, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer whether a taxpayer's filing status is single, head of household, married filing separate or married filing jointly, and the amount of the subtraction modification provided by this paragraph shall be calculated as follows:

Subtraction modification = social security income x social security taxable rate.

For purposes of this subparagraph:

(1) Social security income is the amount of benefits received under the social security act and included in federal adjusted gross income; and

(2) social security taxable rate shall be determined as follows:

(a) For taxpayers with federal adjusted gross income of \$75,000 or less, then the social security taxable rate is 1;

(b) for taxpayers with federal adjusted gross income greater than \$75,000 and less than the threshold, then the social security taxable rate shall be calculated as:  $1 - ((\text{federal adjusted gross income} - 75,000) / \text{denominator})$ ; and

(c) for taxpayers with federal adjusted gross income equal to or greater than the threshold, then the social security taxable rate is 0.

(d) (i) "Denominator" is equal to 25,000 for tax year 2023 and increases by 5,000 for each tax year thereafter.

(ii) "Threshold" is equal to \$100,000 for tax year 2023 and increases by \$5,000 for each tax year thereafter.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received

under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2022 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.";

Also on page 16, in line 30, by striking the first "years" and inserting "year"; also in line 30, by striking "and 2022"; in line 35, by striking all after "(3)"; by striking all in lines 36 through 39; in line 40, by striking "(B)"; in line 41, by striking "this"; also in line 41, after "paragraph" by inserting "(2)";

On page 17, in line 10, by striking "2023" and inserting "2024";

On page 18, in line 38, by striking "July" and inserting "January"; also in line 38, by striking "2023" and inserting "2024";

On page 24, in line 10, by striking "July" and inserting "January"; also in line 10, by striking "2023" and inserting "2024";

On page 25, in line 11, by striking "July" and inserting "January"; also in line 11, by striking "2023" and inserting "2024";

On page 26, in line 33, by striking "July" and inserting "January"; also in line 33, by striking "2023" and inserting "2024";

On page 27, in line 29, by striking "July" and inserting "January"; also in line 29, by striking "2023" and inserting "2024";

On page 28, in line 39, after "79-32,117," by inserting "as amended by section 5 of 2023 House Bill No. 2197,"; in line 42, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "5.25%" and inserting "5.15%"; in line 6, by striking all after the semicolon; by striking all in lines 7 and 8; in line 9, by striking all after "deduction"; in line 10, by striking "increasing"; in line 16, by striking "74-50,321,"; also in line 16, after "79-32,117," by inserting "as amended by section 5 of 2023 House Bill No. 2197,"; in line 18, after "sections" by inserting "; also repealing K.S.A. 2022 Supp. 74-50,321";

And your committee on conference recommends the adoption of this report.

ADAM SMITH

BRIAN BERGKAMP

*Conferees on part of House*

CARYN TYSON

VIRGIL PECK

*Conferees on part of Senate*

Senator Tyson moved the Senate adopt the Conference Committee Report on **H Sub SB 169**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 13; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

The Call was lifted.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2002** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 17 through 34;

By striking all on pages 2 through 15;

On page 16, by striking all in lines 1 through 7 and inserting:

"New Section 1. On and after January 1, 2024, for any warrant issued by the secretary of revenue, or the secretary's designee, that is the result of the taxpayer's failure to pay a tax owed to the state of Kansas, the secretary shall file a release of such warrant in the county where such warrant is docketed upon the taxpayer's full payment of the tax owed, including any interest, penalty and fees required for the filing and release or satisfaction of the warrant.

Sec. 2. K.S.A. 12-187 is hereby amended to read as follows: 12-187. (a) No city shall impose a retailers' sales tax under the provisions of this act without the governing

body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within such county that contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within such county that levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Grant, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by

1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(H) The result of the election held on November 7, 2017, on the question submitted by the board of county commissioners of Finney county for the purpose of increasing its countywide retailers' sales tax by 0.3% is hereby declared valid, and the revenues of such tax shall be used by Finney county and the city of Garden City, Kansas, as agreed in an interlocal cooperation agreement between the city and county, and as detailed in

the ballot question approved by voters. The tax imposed pursuant to this subparagraph shall be levied for a period of 15 years from the date it is first levied.

(I) The result of the election held on November 3, 2020, on the question submitted by the board of county commissioners of Cherokee county for the purpose of increasing its retailers' sales tax by 0.5% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing: (i) Ambulance services within the county; (ii) renovations and maintenance of county buildings and facilities; or (iii) any other projects within the county deemed necessary by the governing body of Cherokee county. The tax imposed pursuant to this subparagraph shall terminate prior to January 1, 2033.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) (A) The board of county commissioners of Clay and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(B) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) (A) The board of county commissioners of Cowley, Crawford and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected.

(B) The board of county commissioners of Russell county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing economic development

initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected. On and after July 1, 2019, the countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for one additional period not to exceed 15 years upon the board of county commissioners of Wabunsee county submitting such question to the electors at an election called and held thereon as provided by law. For any countywide retailers' sales tax that is extended or reenacted pursuant to this paragraph, such tax shall expire not later than 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing

of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the

question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(32) The board of county commissioners of Marion county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and the construction of public infrastructure improvements, including buildings, to the electors at an election called and held thereon.

(33) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of supporting emergency medical and ambulance services in the county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional periods not exceeding 10 years per period upon the board of county commissioners of Wilson county submitting such question to the electors at an election called and held thereon for each additional period as provided by law. This paragraph shall not be construed to cause the expiration, repeal or termination of any existing city retailers' sales tax for health care services as defined in paragraph (5).

(34) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received for the purpose of joint law enforcement communications and solid waste disposal in Atchison county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(35) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional five-year periods upon the board of county commissioners of Dickinson county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an

election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within each of such counties that contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within each of such counties that levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Notwithstanding any provision of law to the contrary, including subsection (b) (5), any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) (1) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

(2) In addition to the requirements set forth in paragraph (1), the governing body of the county proposing to levy a countywide retailers' sales tax shall include as a part of the ballot proposition whether:

(A) The apportionment formula provided in K.S.A. 12-192, and amendments thereto, will apply to the revenue;

(B) an interlocal agreement was entered whereby the county will retain either all or part of the revenue; or

(C) pursuant to law, the county retains the revenue in its entirety.

Sec. 3. K.S.A. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes, which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison or Thomas county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown or Grant county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county, for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

- (i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;
- (j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;
- (k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;
- (l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;
- (m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;
- (n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;
- (o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;
- (p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;
- (q) the board of county commissioners of Jefferson county, for the purpose of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;
- (r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;
- (s) the board of county commissioners of Johnson county, for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;
- (t) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;
- (u) the board of county commissioners of Butler county, for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;
- (v) the board of county commissioners of Barton county, for the purposes of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;
- (w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;
- (x) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;
- (y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;
- (z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;
- (aa) the board of county commissioners of Kingman county, for the purposes of

K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%;

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%;

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%;

(ff) the board of county commissioners of Finney county, for the purposes of K.S.A. 12-187(b)(3)(H), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.3%;

(gg) the board of county commissioners of Cherokee county, for the purposes of K.S.A. 12-187(b)(3)(I), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%;

(hh) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(33), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%; ~~and~~

(ii) the board of county commissioners of Atchison county, for the purposes of K.S.A. 12-187(b)(34), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus up to 1%; ~~and~~

(jj) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(35), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall confirm that all provisions of law applicable to the authorization of local sales tax have been followed prior to causing the

collection. If the director of taxation discovers that a city or county did not comply with any provision of law applicable to the authorization of a local sales tax after collection has commenced, the director shall immediately notify the city or county and cease collection of such sales tax until such noncompliance is remedied. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax that exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 4. K.S.A. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner:

(1)  $\frac{1}{2}$  of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and

(2)  $\frac{1}{2}$  of all revenue received by the director of taxation from such countywide

retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county.

All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner:

(A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and

(B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows:

(i)  $\frac{1}{4}$  shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year;

(ii)  $\frac{1}{4}$  shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and

(iii)  $\frac{1}{2}$  shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be

included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (3)(I), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30), (31), (32), (33) ~~and~~, (34) ~~and~~ (35), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and

amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 5. K.S.A. 2022 Supp. 19-430 is hereby amended to read as follows: 19-430. (a)(1) On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners or governing body of any unified government of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years expiring on June 30 of the fourth year thereafter. No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least three years of mass appraisal experience and be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act.

(2) Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners or governing body of any unified government shall appoint an eligible Kansas appraiser to fill such vacancy for the unexpired term. The person holding the office of county or district appraiser or performing the duties thereof on the effective date of this act shall continue to hold such office and perform such duties until a county appraiser is appointed under the provisions of this act. No person shall be appointed to the office of county or district appraiser or to fill a vacancy therein unless such person is currently:

(A) A certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto; or

(B) a registered mass appraiser pursuant to rules and regulations adopted by the secretary of revenue.

(3) ~~Notwithstanding the foregoing provision~~ provisions of this subsection, the board of county commissioners or governing body of any unified government may appoint an interim county appraiser, subject to the approval of the director of property valuation, for a period not to exceed six months to fill a vacancy in the office of county appraiser pending the appointment of an eligible county appraiser under the provisions of this act.

(b) The secretary of revenue shall adopt rules and regulations necessary to establish qualifications for the designation of a registered mass appraiser.

(c) On and after July 1, ~~2022~~ 2023, all appraisal courses necessary to qualify for the designation of a registered mass appraiser and all continuing education appraisal courses necessary to retain such designation shall be courses:

(1) Developed by the director of property valuation specifically related to the administration of the assessment and tax laws of the state; or

(2) approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.

Sec. 6. K.S.A. 2022 Supp. 79-1460 is hereby amended to read as follows: 79-1460. (a) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in valuation in compliance with the directives and specifications of the director of property valuation, and such

record and documentation is available to the affected taxpayer. Alternatively, the county appraiser may transmit the classification and appraised valuation to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

(b) The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or improvements on the property. ~~For purposes of this section, "normal repair, replacement or maintenance" does not include new construction as defined in this section.~~ For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser shall review the computer-assisted mass-appraisal of the property and if the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

(1) Adjust the valuation of the property based on the information provided in the previous appeal; or

(2) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser. ~~As used in this section, "new construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.~~

(c) When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year's final determination, except that such changes shall not be made after October 31 of the current year. ~~For the purposes of this section and in the case of real property, the term "taxpayer" shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and, in the case where the real property or improvement thereon is the subject of a lease agreement, such term shall also be deemed to include the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds. Such notice~~

(d)(1) The notice provided under subsection (a) shall specify:

(A) Separately ~~both for the previous and current tax year and the current tax year,~~ the appraised and assessed values for each property class identified on the parcel. ~~Such notice shall also contain:~~

(B) the uniform parcel identification number prescribed by the director of property valuation. ~~Such notice shall also contain; and~~

(C) a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to subsection ~~(b)~~ (g).

(2) Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

(e) In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of

notification which has been approved by the director of property valuation may be utilized by a county.

(f) Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

~~(b) For all taxable years commencing after December 31, 1999,~~ (g) There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide; and shall provide sufficient copies thereof to all county appraisers. Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(h) As used in this section:

(1) "New construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.

(2) "Normal repair, replacement or maintenance" does not include new construction.

(3) "Taxpayer" means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.

Sec. 7. K.S.A. 79-2001 is hereby amended to read as follows: 79-2001. (a) As soon as the county treasurer receives the tax roll of the county, the treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales, if any, for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$1,000 of valuation.

(b) Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. In addition, with respect to land devoted to agricultural use, such statement shall indicate the acreage and description of each parcel of such land. The tax statement shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax statement also may include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax

statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section. Alternatively, the county treasurer may transmit the tax statement to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

(c) ~~For tax year 1998, and all tax years thereafter,~~ After receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the tax rolls, a tax information form which indicates the taxing unit, assessed value of real property for the current and next preceding taxable year, the mill levy for the current and next preceding taxable year and, in the case of unified school districts, the mill levy required by K.S.A. 72-5142, and amendments thereto, shall be separately indicated, the tax due and an itemization of each taxing unit's mill levy for the current and next preceding taxable year and the percentage change in the amount of revenue produced therefrom, if any. In addition, with respect to land devoted to agricultural use, such form shall indicate the acreage and description of each parcel of such land. The tax information form shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax information form may be separate from the tax statement or a part of the tax statement. The tax information form shall be in a format prescribed by the director of property valuation. The tax information form shall be mailed to the last known address of the taxpayer. When a tax information form is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the tax information form to the new address. All tax information forms mailed pursuant to this section shall be mailed by first class mail. Alternatively, the county treasurer may transmit the tax information forms to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

Sec. 8. K.S.A. 79-2017 is hereby amended to read as follows: 79-2017. In Douglas, Sedgwick, Johnson and Shawnee counties, all taxes on personal property that remain due and unpaid on February 16 or June 1 shall be collected in the following manner:

The county treasurer on or before March 25 shall send a notice by mail to the person, firm, unincorporated association, company or corporation to whom such taxes were assessed, and which remain unpaid on February 16 of any year, to its post office address as shown by the current tax roll. Alternatively, the county treasurer may transmit the notice to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

The county treasurer on or before June 27 shall send a notice by mail to the person, firm, unincorporated association, company or corporation to whom such taxes were assessed, and which remain unpaid on June 1 of any year, to its post office address as shown by the current tax roll. Alternatively, the county treasurer may transmit the notice to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

Failure to receive any such tax notice shall not relieve such person, firm,

unincorporated association, company or corporation defaulting in payment of personal taxes from any interest and costs attached thereto. Such notice shall state the amount of personal tax charged against the party, and notify the party that the tax may be paid by paying the amount of the tax as assessed and interest the amount of which shall be computed in accordance with the provisions of K.S.A. 79-2004a, and amendments thereto, on the delinquent tax.

The county treasurer is hereby authorized to accept payment of delinquent taxes in full without payment of the interest due upon such delinquent taxes if the amount of the interest due is less than \$5 and is further authorized to accept as payment in full, any interest payment in an amount not less than \$5 less than the full amount of the interest due.

Should such taxes, due and unpaid on February 16 remain unpaid for a period of 25 days after the mailing of such notice, or taxes due and unpaid on June 1 remain unpaid for a period of 14 days after the mailing of such notice, the county treasurer shall issue a warrant signed by the treasurer directed to the sheriff of the county, commanding the sheriff to levy the amount of such unpaid taxes and the amount of the interest thereon, together with the sheriff's fees for collecting the taxes, upon any personal property, tangible or intangible, of the person, firm, unincorporated association, company or corporation to whom such taxes were assessed.

To allow the time necessary for preparation of such warrants, the county treasurer shall not receive any payment of delinquent personal property taxes or interest thereon, due and unpaid on February 16, during a period beginning the 26<sup>th</sup> day after mailing of notices and extending through the last regular business day of April in any year or taxes or interest due and unpaid on June 1, during a period beginning the 15<sup>th</sup> day after mailing of such notices and extending through the regular business day of July 15 in any year. Such warrant shall be delivered to the sheriff by the county treasurer before the first regular business day in May and the 15<sup>th</sup> regular business day in July in each year. Upon receipt of such tax warrant, the sheriff shall proceed to collect such taxes the same as upon execution, except that where such taxes were levied and assessed pursuant to K.S.A. 79-329 through 79-334, and amendments thereto, they shall be collected as follows:

The sheriff shall cause notice to be given by registered mail to the purchaser of the oil and gas from such lease of the amount of such delinquent taxes and the name of the person against whom they were assessed and from and after the receipt of such notice such purchaser shall not pay to the person owing the taxes any of the proceeds of the sale of any oil or gas from such lease, but shall pay them to the sheriff until the full amount of such taxes and costs are paid after which the purchaser may resume the payments for such oil or gas to such person, but this exception shall not prevent the levy of an execution and sale of the leasehold interest or the physical personal property on any such lease for the payment of delinquent taxes owed by the owner thereof.

The sheriff, as soon as the sheriff collects the tax warrant, shall make a return thereof and shall make a return of all tax warrants delivered to the sheriff on or before October 1 of the year following the year in which the tax was levied. If the warrant so returned shows that the tax has been collected, the sheriff shall pay the tax to the county treasurer. If such return shows that such tax has not been collected, then the county treasurer shall file with the clerk of the district court of the treasurer's county an abstract of the total amount of unpaid taxes and interest due plus penalties and costs. The clerk

shall enter the total amount of the unpaid taxes in the appearance docket and note the entry in the general index. No fee shall be charged for either such entry. The total amount shall become a judgment in the same manner and to the same extent as any other judgment under the code of civil procedure and shall become a lien on real estate from and after the time of the filing thereof. A transcript of the judgment may be filed with the clerk of the district court in any other county and when the judgment is entered in the manner provided above, the judgment shall become a lien upon real estate located in such county in the same manner as is provided in case of other judgments. No fee shall be made for making the entry. Execution, garnishment or other proceedings in aid of execution may issue within the county or to any other county on the judgment in the same manner as on judgments under the code of civil procedure except that any real estate taken upon execution for the collection of such taxes shall be sold without appraisal. None of the exemptions provided for in the code of civil procedure shall apply to any such judgment but no such judgment secured for taxes on personal property shall be levied against a homestead.

At the time of filing the abstract of the taxes, interest, penalties and costs with the clerk of the district court, the county treasurer shall serve notice, in writing, on the county counselor of such filing. It shall be the duty of the county counselor to commence such proceedings as are necessary for the collection of such judgment. If execution is not issued within five years from the date of the entry of any such judgment, or if five years shall have intervened between the date of the last execution issued on such judgment and the time of issuing another writ of execution thereon, such judgment shall become dormant, and shall cease to operate as a lien on the real estate of the delinquent taxpayer. Such dormant judgment may be revived in like manner as dormant judgments under the code of civil procedure. Any such judgment remaining uncollected after seven years may be allowed to become dormant if the county commissioners determine, after consideration of all relevant facts, that it is not reasonable to expect that such judgment will be collected. The board of county commissioners may allow such judgments to become dormant at any time if the original amount of the judgment was less than \$50.

Sec. 9. K.S.A. 2022 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood,

tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional

institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United

States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of

tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas;

(3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use

or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized

pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale.

Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a

production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences,

that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional

education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on

behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each

claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any

contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible

personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or

more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of

this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection

shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such

certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the

director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under

such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the

contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of

educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and

the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any

materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon

such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose; ~~and~~

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2022 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2022 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote

person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging; and

(2) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20<sup>th</sup> day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto; and

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of bringing suicide prevention training and awareness to communities across the state.

Sec. 10. K.S.A. 12-187, 12-189, 12-192, 79-2001 and 79-2017 and K.S.A. 2022 Supp. 19-430, 79-1460 and 79-3606 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 16, in line 9, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking "property"; in line 2, by striking all after "to"; by striking all in lines 3 through 11; in line 12, by striking all before the semicolon and inserting "sales and compensating use tax; providing countywide retailers' sales tax authority for Dickinson and Grant counties; providing for a sales tax exemption for area agencies on aging and purchases made by Kansas suicide prevention HQ, inc.; relating to warrants issued by the secretary of revenue; providing that the secretary of revenue file a release of warrant in the county where such warrant is docketed; relating to property tax; relating to qualifications for designation as a registered mass appraiser; granting authority to the director of property valuation to develop qualifying courses; providing that certain tax notices and statements may be transmitted by electronic means by the county treasurer and county appraiser if consented to by the taxpayer"; also in line 12, by striking "79-1496" and inserting "12-187, 12-189, 12-192, 79-2001 and 79-2017"; in line 13, by striking "79-1460, 79-2005, 79-2988 and 79-2989" and inserting "19-430, 79-1460 and 79-3606";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

*Conferees on part of Senate*

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

*Conferees on part of House*

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2002**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

The Call was lifted.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2390** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House

Bill No. 2390, as follows:

On page 3, following line 14, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 44-663 is hereby amended to read as follows: 44-663.

(a) Notwithstanding any provision of law to the contrary, if an employer implements a COVID-19 vaccine requirement, the employer shall exempt an employee from such requirement, without punitive action, if the employee submits a written waiver request to the employer stating that complying with such requirement would:

(1) Endanger the life or health of the employee or an individual who resides with the employee, as evidenced by an accompanying written statement signed by a physician or another person who performs acts pursuant to practice agreements, protocols or at the order, direction or delegation of a physician; or

(2) violate sincerely held religious beliefs of the employee, as evidenced by an accompanying written statement signed by the employee.

(b) An employer shall grant an exemption requested in accordance with this section based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(c) (1) An employee aggrieved by a violation of this section may file a complaint with the secretary of labor alleging that an employer failed to offer an exemption, improperly denied an exemption request, took punitive action against the employee or committed any other violation of this section.

(2) (A) The secretary of labor shall promptly commence an investigation of each complaint filed pursuant to this subsection. The secretary shall complete such investigation and issue a final order within 60 calendar days after the filing of the complaint. At a minimum, the investigation shall determine whether:

(i) The employer imposed a COVID-19 vaccine requirement;

(ii) the employee submitted a written waiver request in accordance with this section; and

(iii) the employer committed any violation of this section.

(B) Upon completing the investigation, the secretary of labor shall issue an order containing findings and conclusions as to whether the employer violated this section and provide such order to the employee and the employer. Such order is a final order for purposes of judicial review and shall state the right of the employee or the employer to appeal as provided in the Kansas judicial review act.

(C) If the secretary of labor issues a final order finding that an employer violated this section, the secretary shall issue an order containing such findings and provide such order to the employee, the employer and the attorney general.

(3) (A) Except as provided in paragraph (3)(B), upon receipt of an order from the secretary of labor pursuant to paragraph (2), the attorney general shall secure enforcement of such order by filing an action in an appropriate district court to impose civil penalties.

(B) The attorney general shall not file a civil action against an employer if the employer reinstates the terminated employee with back pay to the date that the complaint was received by the secretary of labor under this subsection.

(C) In an action filed pursuant to this subsection, the court may impose a civil penalty not to exceed:

(i) \$10,000 per violation for an employer with fewer than 100 employees; or

(ii) \$50,000 per violation for an employer with 100 or more employees.

(D) In determining the amount of the civil penalty for a violation, the court may consider the following factors:

(i) Whether the employer knowingly and willfully violated this section;

(ii) whether the employer has shown good faith in attempting to comply with this section;

(iii) whether the employer has taken action to correct the violation;

(iv) whether the employer has been previously assessed a civil penalty for violating this section; and

(v) any other mitigating or aggravating factor that fairness or due process requires.

(4) All civil penalties assessed and collected under this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the employment security fund, established by K.S.A. 44-712, and amendments thereto.

(d) As used in this section:

(1) "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus;

(2) "COVID-19 vaccine requirement" means that an employer:

(A) Requires an employee to receive a COVID-19 vaccine;

(B) requires an employee to provide documentation certifying receipt of a COVID-19 vaccine; or

(C) enforces a requirement described in subparagraph (A) or (B) that is imposed by the federal government or any other entity;

(3) "employee" means:

(A) An individual who is employed in this state for wages by an employer;

(B) an applicant for employment by an employer; ~~or~~

(C) a noncompensated intern or apprentice for an employer; or

(D) a student attending a public or nonpublic high school or a postsecondary educational institution who, as part of coursework, interacts with patients and delivers care at a healthcare facility under the supervision of an individual licensed to provide such patient care;

(4) "employer" means any person in this state who employs one or more persons and includes the state of Kansas and all political subdivisions of the state;

(5) "person" means an individual, partnership, association, organization, corporation, legal representative, trustee, trustee in bankruptcy or receiver;

(6) "physician" means an individual licensed by the state board of healing arts to practice medicine and surgery;

(7) "punitive action" means any of the following actions related to the employee's exemption request: Dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal, withholding of work or assessing any monetary penalty or unreasonable charge; and

(8) "religious beliefs" includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.";

On page 9, following line 8, by inserting:

"Sec. 11. K.S.A. 65-508 is hereby amended to read as follows: 65-508. (a) ~~Any~~A

maternity center or child care facility subject to the provisions of this act shall:

- (1) Be properly heated, plumbed, lighted and ventilated;
- (2) have plumbing, water and sewerage systems—~~which~~ that conform to all applicable state and local laws; and
- (3) be operated with strict regard to the health, safety and welfare of any woman or child.

(b) Every maternity center or child care facility shall furnish or cause to be furnished for the use of each resident and employee individual towel, ~~wash cloth~~ washcloth, comb and individual drinking cup or sanitary bubbling fountain, and toothbrushes for all other than infants, and shall keep or require such articles to be kept at all times in a clean and sanitary condition. Every maternity center or child care facility shall comply with all applicable fire codes and rules and regulations of the state fire marshal.

(c) (1) The secretary of health and environment with the cooperation of the secretary for children and families shall develop and adopt rules and regulations for the operation and maintenance of maternity centers and child care facilities. The rules and regulations for operating and maintaining maternity centers and child care facilities shall be designed to promote the health, safety and welfare of any woman or child served in such facilities by ensuring safe and adequate physical surroundings, healthful food, adequate handwashing, safe storage of toxic substances and hazardous chemicals, sanitary diapering and toileting, home sanitation, supervision and care of the residents by capable, qualified persons of sufficient number, after-hour care, an adequate program of activities and services, sudden infant death syndrome and safe sleep practices training, prohibition on corporal punishment, crib safety, protection from electrical hazards, protection from swimming pools and other water sources, fire drills, emergency plans, safety of outdoor playground surfaces, door locks, safety gates and transportation and such appropriate parental participation as may be feasible under the circumstances. Boarding schools are excluded from requirements regarding the number of qualified persons who must supervise and provide care to residents.

(2) Rules and regulations developed under this subsection shall include provisions for the competent supervision and care of children in day care facilities. For purposes of such rules and regulations, competent supervision as this term relates to children less than five years of age includes, but is not limited to, direction of activities, adequate oversight including sight or sound monitoring, or both, physical proximity to children, diapering and toileting practices; and for all children, competent supervision includes, but is not limited to, planning and supervision of daily activities, safe sleep practices, including, but not limited to, visual or sound monitoring, periodic checking, emergency response procedures and drills, illness and injury response procedures, food service preparation and sanitation, playground supervision, pool and water safety practices.

(d) In addition to any rules and regulations adopted under this section for safe sleep practices, child care facilities shall ensure that all of the following requirements are met for children under 12 months of age:

- (1) A child shall only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment;
- (2) the sleep surface shall be free from soft or loose bedding, including, but not limited to, blankets, bumpers and pillows; and
- (3) the sleep surface shall be free from toys, including mobiles and other types of

play equipment or devices.

(e) Child care facilities shall ensure that children over 12 months of age only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment.

(f) The secretary of health and environment may exercise discretion to make exceptions to requirements in subsections (d) and (e) where special health needs exist.

(g)(1) Each child cared for in a child care facility, including children of the person maintaining the facility, shall be required to have current such immunizations as the secretary of health and environment considers necessary. The person maintaining a child care facility shall maintain a record of each child's immunizations and shall provide to the secretary of health and environment such information relating thereto, in accordance with rules and regulations of the secretary, but the person maintaining a child care facility shall not have such person's license revoked solely for the failure to have or to maintain the immunization records required by this subsection.

(2) (A) The secretary of health and environment shall not require a child cared for in a child care facility to receive a COVID-19 vaccine.

(B) As used in this paragraph, "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus.

(h)(1) ~~The~~Any other immunization requirement of subsection (g) shall not apply if one of the following is obtained:

~~(+)(A)~~ Certification from a licensed physician stating that the physical condition of the child is such that immunization would endanger the child's life or health; or

~~(2)(B)~~ a written statement signed by ~~a~~ at least one parent or guardian stating that the requirement would violate sincerely held religious beliefs of the parent or guardian ~~is an adherent of a religious denomination whose teachings are opposed to immunizations.~~

(2) The person maintaining a child care facility shall grant an exemption requested in accordance with this subsection based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(3) As used in this section, "religious beliefs" includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.;

On page 11, following line 23, by inserting:

"Sec. 13. K.S.A. 72-6262 is hereby amended to read as follows: 72-6262. (a)(1) In each school year, every ~~pupil student~~ enrolling or enrolled in any school for the first time in this state, and each child enrolling or enrolled for the first time in a preschool or day care program operated by a school, and such other ~~pupils students~~ as may be designated by the secretary, prior to admission to and attendance at school, shall present to the appropriate school board certification from a physician or local health department that the ~~pupil student~~ has received such tests and inoculations as are deemed necessary by the secretary by such means as are approved by the secretary. ~~Pupils Students~~ who have not completed the required inoculations may enroll or remain enrolled while completing the required inoculations if a physician or local health department certifies that the ~~pupil student~~ has received the most recent appropriate inoculations in all required series. Failure to timely complete all required series shall be deemed non-compliance.

(2) (A) The secretary of health and environment shall not require a student described in paragraph (1) to receive a COVID-19 vaccine.

(B) As used in this paragraph, "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus.

(b) (1) As an alternative to ~~the any other~~ certification required under subsection (a), a ~~pupil student~~ shall present:

~~(A)~~ (A) An annual written statement signed by a licensed physician stating the physical condition of the child ~~to be~~ is such that the tests or inoculations would seriously endanger the life or health of the child; or

~~(B)~~ (B) a written statement signed by at least one parent or guardian stating that the requirement would violate sincerely held religious beliefs of the child ~~is an adherent of a religious denomination whose religious teachings are opposed to such tests or inoculations.~~

(2) The board of education of a school district shall grant such alternative to the certification presented in this subsection based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(3) As used in this section, "religious beliefs" includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.

(c) On or before May 15 of each school year, the school board of every school affected by this act shall notify the parents or guardians of all known ~~pupils students~~ who are enrolled or who will be enrolling in the school of the provisions this act and any policy regarding the implementation of the provisions of this act adopted by the school board.

(d) If a ~~pupil student~~ transfers from one school to another, the school from which the ~~pupil student~~ transfers shall forward with the ~~pupils student's~~ transcript the certification or statement showing evidence of compliance with the requirements of this act to the school to which the ~~pupil student~~ transfers.";

Also on page 11, in line 25, by striking the first "and" and inserting a comma; also in line 25, after "65-129d" by inserting ", 65-508 and 72-6262"; also in line 25, after "Supp." by inserting "44-663,";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, after the semicolon by inserting "relating to vaccinations; requirements to attend child care facilities and elementary, secondary and public or private postsecondary educational institutions; prohibiting an inquiry into the sincerity of a request for an exemption from vaccine requirements; prohibiting the secretary of health and environment from requiring a COVID-19 vaccination in order to attend a child care facility or school,;" in line 9, by striking the first "and" and inserting a comma; also in line 9, after "65-129d" by inserting ", 65-508 and 72-6262"; also in line 9, after "Supp." by inserting "44-663,";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE

RENEE ERICKSON

*Conferees on part of Senate*

WILL CARPENTER  
SUSAN HUMPHRIES

*Conferees on part of House*

The motion of Senator Gossage to adopt the conference committee report on **S Sub HB 2390** failed.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 19; Nays 18; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Masterson, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was not adopted.

The Call was lifted.

Senator Pettey having voted on the prevailing side, moved to reconsider previous action on **S Sub HB 2390**. Motion failed.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

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The Senate met pursuant to recess with President Masterson in the chair.

#### MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 229**.

The House adopts the Conference Committee report on **S Sub HB 2138**.

Announcing adoption of **SCR 1612**.

The House adopts the Conference Committee report on **SB 26**.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 26** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 41; following line 41 by inserting:

"New Section 1. (a) An individual who had a childhood gender reassignment service performed on such individual as a child may bring a civil cause of action against the physician who performed the childhood gender reassignment service.

(1) An action against a physician pursuant to this section may be commenced not more than three years after the date the individual attains 18 years of age.

(b) As used in this section:

(1) "Childhood gender reassignment service" means performing, or causing to be performed, acts including, but not limited to, any of the following performed upon a

child under 18 years of age for the purpose of attempting to affirm the child's perception of the child's sex or gender, if that perception is inconsistent with the child's sex:

(A) A surgery that sterilizes or is intended to result in sterilization, including, but not limited to, castration, vasectomy, hysterectomy, oophorectomy, orchiectomy and penectomy;

(B) a surgery that artificially constructs tissue with the appearance of genitalia, including, but not limited to, metoidioplasty, phalloplasty and vaginoplasty;

(C) a mastectomy;

(D) prescribing, dispensing, administering or otherwise supplying the following medications:

(i) Puberty-blocking medication to delay, hinder, stop or reverse normal puberty;

(ii) supraphysiologic doses of testosterone to females; or

(iii) supraphysiologic doses of estrogen to males; or

(E) removing any body part or tissue.

(2) "Physician" means a person licensed by the board of healing arts to practice medicine and surgery.

(3) "Sex" means the biological state of being female or male based on the individual's sex organs, chromosomes and endogenous hormone profiles.

(4) "Supraphysiologic doses" means a pharmacologic dosage regimen that produces blood concentrations greater than the accepted range for a child's age and sex.

(c) The provisions of this section shall not apply if the child was born with a medically verifiable disorder of sex development, including, but not limited to:

(1) A child with external biological sex characteristics that are irresolvably ambiguous, such as a child born having 46,XX chromosomes with virilization, 46,XY chromosomes with undervirilization or both ovarian and testicular tissue; or

(2) when a physician has otherwise diagnosed a disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the child does not have the normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action for a male or female of the child's age.

(d) (1) An individual who brings an action under this section may seek actual damages, exemplary or punitive damages, injunctive relief and other appropriate relief.

(2) In an action brought under this section, the court shall award a prevailing plaintiff the cost of the suit including reasonable attorney fees.

(e) This section shall be applicable to:

(1) Any action commenced on or after July 1, 2023, including any action that would be barred by the period of limitation applicable prior to July 1, 2023; and

(2) any action commenced prior to July 1, 2023, and pending on July 1, 2023.

(f) This section shall be known and may be cited as the Kansas child mutilation prevention act.

Sec. 2. K.S.A. 2022 Supp. 65-2836 is hereby amended to read as follows: 65-2836.

(a) A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

~~(1)~~ (1) The licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license.

~~(2)~~ (2) The licensee has committed an act of unprofessional or dishonorable conduct

or professional incompetency, except that the board may take appropriate disciplinary action or enter into a non-disciplinary resolution when a licensee has engaged in any conduct or professional practice on a single occasion that, if continued, would reasonably be expected to constitute an inability to practice the healing arts with reasonable skill and safety to patients or unprofessional conduct as defined in K.S.A. 65-2837, and amendments thereto.

~~(e)~~(3) The licensee has been convicted of a felony or class A misdemeanor, or substantially similar offense in another jurisdiction, whether or not related to the practice of the healing arts, or the licensee has been convicted in a special or general court-martial, whether or not related to the practice of the healing arts. The board shall revoke a licensee's license following conviction of a felony or substantially similar offense in another jurisdiction, or following conviction in a general court-martial occurring after July 1, 2000, unless a  $\frac{2}{3}$  majority of the board members present and voting determine by clear and convincing evidence that such licensee will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust. In the case of a person who has been convicted of a felony or convicted in a general court-martial and who applies for an original license or to reinstate a canceled license, the application for a license shall be denied unless a  $\frac{2}{3}$  majority of the board members present and voting on such application determine by clear and convincing evidence that such person will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust.

~~(d)~~(4) The licensee has used fraudulent or false advertisements.

~~(e)~~(5) The licensee is addicted to or has distributed intoxicating liquors or drugs for any other than lawful purposes.

~~(f)~~(6) The licensee has willfully or repeatedly violated this act, the pharmacy act of the state of Kansas or the uniform controlled substances act, or any rules and regulations adopted pursuant thereto, or any rules and regulations of the secretary of health and environment that are relevant to the practice of the healing arts.

~~(g)~~(7) The licensee has unlawfully invaded the field of practice of any branch of the healing arts in which the licensee is not licensed to practice.

~~(h)~~(8) The licensee has engaged in the practice of the healing arts under a false or assumed name, or the impersonation of another practitioner. The provisions of this subsection relating to an assumed name shall not apply to licensees practicing under a professional corporation, under a business entity that holds a certificate of authorization pursuant to K.S.A. 2022 Supp. 65-28,134, and amendments thereto, or under any other legal entity duly authorized to provide such professional services in the state of Kansas.

~~(i)~~(9) The licensee's ability to practice the healing arts with reasonable skill and safety to patients is impaired by reason of physical or mental illness, or condition or use of alcohol, drugs or controlled substances. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery by or release to any person or entity outside of a board proceeding.

~~(j)~~(10) The licensee has had a license to practice the healing arts revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia, or other country.

~~(k)~~(11) The licensee has violated any lawful rule and regulation promulgated by the

board or violated any lawful order or directive of the board previously entered by the board.

~~(H)~~(12) The licensee has failed to report or reveal the knowledge required to be reported or revealed under K.S.A. 65-28,122, and amendments thereto.

~~(H)~~(13) The licensee, if licensed to practice medicine and surgery, has failed to inform in writing a patient suffering from any form of abnormality of the breast tissue for which surgery is a recommended form of treatment, of alternative methods of treatment recognized by licensees of the same profession in the same or similar communities as being acceptable under like conditions and circumstances.

~~(H)~~(14) The licensee has cheated on or attempted to subvert the validity of the examination for a license.

~~(H)~~(15) The licensee has been found to be mentally ill, disabled, not guilty by reason of insanity, not guilty because the licensee suffers from a mental disease or defect or incompetent to stand trial by a court of competent jurisdiction.

~~(H)~~(16) The licensee has prescribed, sold, administered, distributed or given a controlled substance to any person for other than medically accepted or lawful purposes.

~~(H)~~(17) The licensee has violated a federal law or regulation relating to controlled substances.

~~(H)~~(18) The licensee has failed to furnish the board, or its investigators or representatives, any information legally requested by the board.

~~(S)~~(19) Sanctions or disciplinary actions have been taken against the licensee by a peer review committee, healthcare facility, a governmental agency or department or a professional association or society for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(S)~~(20) The licensee has failed to report to the board any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a healthcare facility, a professional association or society, a governmental agency, by a law enforcement agency or a court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(S)~~(21) The licensee has surrendered a license or authorization to practice the healing arts in another state or jurisdiction, has surrendered the authority to utilize controlled substances issued by any state or federal agency, has agreed to a limitation to or restriction of privileges at any medical care facility or has surrendered the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(S)~~(22) The licensee has failed to report to the board surrender of the licensee's license or authorization to practice the healing arts in another state or jurisdiction or surrender of the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(S)~~(23) The licensee has an adverse judgment, award or settlement against the licensee resulting from a medical liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(S)~~(24) The licensee has failed to report to the board any adverse judgment, settlement or award against the licensee resulting from a medical malpractice liability

claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(25)~~ The licensee has failed to maintain a policy of professional liability insurance as required by K.S.A. 40-3402 or 40-3403a, and amendments thereto.

~~(26)~~ The licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404, and amendments thereto.

~~(27)~~ The licensee has knowingly submitted any misleading, deceptive, untrue or fraudulent representation on a claim form, bill or statement.

~~(28)~~ The licensee as the supervising physician for a physician assistant has failed to adequately direct and supervise the physician assistant in accordance with the physician assistant licensure act or rules and regulations adopted under such act.

~~(29)~~ The licensee has assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2022 Supp. 21-5407, and amendments thereto, as established by any of the following:

~~(A)~~ A copy of the record of criminal conviction or plea of guilty for a felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2022 Supp. 21-5407, and amendments thereto.

~~(B)~~ A copy of the record of a judgment of contempt of court for violating an injunction issued under K.S.A. 60-4404, and amendments thereto.

~~(C)~~ A copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.

~~(30)~~ The licensee has given a worthless check or stopped payment on a debit or credit card for fees or moneys legally due to the board.

~~(31)~~ The licensee has knowingly or negligently abandoned medical records.

(b) A physician's license shall be revoked upon a finding that the physician has performed a childhood gender reassignment service, as defined in section 1, and amendments thereto.

Sec. 3. K.S.A. 2022 Supp. 65-2836 is hereby repealed.";

Also on page 3, in line 43, by striking "Kansas register" and inserting "statute book";  
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the semicolon and inserting "gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service"; also in line 4, by striking "40-3203" and inserting "2022 Supp. 65-2836";

WILL CARPENTER  
SUSAN HUMPHRIES  
*Conferees on part of House*

BEVERLY GOSSAGE  
RENEE ERICKSON  
*Conferees on part of Senate*

Senator Gossage moved the Senate adopt the Conference Committee Report on **SB 26**.

On roll call, the vote was: Yeas 23; Nays 12; Present and Passing 1; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Doll.

Absent or Not Voting: Blasi, McGinn, O'Shea, Shallenburger.

The Conference Committee Report was adopted.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 229** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as House Substitute for Senate Bill No. 229, as follows:

On page 1, in line 11, before "Section" by inserting "New";

On page 3, following line 24, by inserting:

"New Sec. 2. (a) Subject to appropriations and except as provided further, on January 1, 2025, and each January 1 thereafter:

(1) The governor shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date;

(2) the attorney general shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date, minus 2.5% of such congressional annual rate of pay; and

(3) the secretary of state, state treasurer and commissioner of insurance shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date, minus 7.5% of such congressional annual rate of pay.

(b) If, for any reason, such congressional salary is decreased, the salaries established in this section shall remain the same for the next ensuing fiscal year unless diminished by general law applicable to all salaried officers of the state.

New Sec. 3. (a) Subject to appropriations and except as provided further, on January 1, 2025, and each January 1 thereafter:

(1) A district judge who is not a chief judge of a judicial district shall receive for services an annual salary equal to 75% of the annual rate of pay for a district judge of the United States on such date;

(2) a district magistrate judge shall receive for services an annual salary equal to 55% of a district judge's salary as determined pursuant to subsection (a)(1);

(3) a chief judge of the district court shall receive for services an annual salary equal to 105% of a district judge's salary as determined pursuant to subsection (a)(1);

(4) a judge of the court of appeals who is not chief judge of the court of appeals shall receive for services an annual salary equal to 110% of a district judge's salary as

determined pursuant to subsection (a)(1);

(5) the chief judge of the court of appeals shall receive for services an annual salary equal to 115% of a district judge's salary as determined pursuant to subsection (a)(1);

(6) a justice of the supreme court who is not chief justice of the supreme court shall receive for services an annual salary equal to 120% of a district judge's salary as determined pursuant to subsection (a)(1); and

(7) the chief justice of the supreme court shall receive for services an annual salary equal to 125% of a district judge's salary as determined pursuant to subsection (a)(1).

(b) If, for any reason, such district judge of the United States salary is decreased, the salaries established in this section shall remain the same for the next ensuing fiscal year unless diminished by general law applicable to all salaried officers of the state.

Sec. 4. On and after January 1, 2025, K.S.A. 2022 Supp. 20-318 is hereby amended to read as follows: 20-318. (a) There is hereby created within the state of Kansas, a judicial department for the supervision of all courts in the state of Kansas. The supreme court shall divide the state into separate sections, not to exceed six in number, to be known as judicial departments, each of which shall be assigned a designation to distinguish it from the other departments. A justice of the supreme court shall be assigned as departmental justice for each judicial department.

(b) There is created hereby the position of judicial administrator of the courts, who shall be appointed by the chief justice of the supreme court to serve at the will of the chief justice. The judicial administrator shall have a broad knowledge of judicial administration and substantial prior experience in an administrative capacity. No person appointed as judicial administrator shall engage in the practice of law while serving in such capacity. Compensation of the judicial administrator shall be determined by the justices, ~~but shall not exceed the salary authorized by law for the judge of the district court.~~ The judicial administrator shall be responsible to the chief justice of the supreme court of the state of Kansas; and shall implement the policies of the court with respect to the operation and administration of the courts, subject to the provisions of K.S.A. 2022 Supp. 20-384, and amendments thereto, under the supervision of the chief justice. The administrator shall perform such other duties as are provided by law or assigned by the supreme court or the chief justice.

(c) Expenditures from appropriations for district court operations to be paid by the state shall be made on vouchers approved by the judicial administrator. All claims for salaries, wages or other compensation for district court operations to be paid by the state shall be certified as provided in K.S.A. 75-3731, and amendments thereto, by the judicial administrator.

Sec. 5. On and after January 1, 2025, K.S.A. 20-2616 is hereby amended to read as follows: 20-2616. (a) Any retired justice of the supreme court, retired judge of the court of appeals, retired district judge or retired associate district judge may be designated and assigned to perform such judicial service and duties as such retired justice or judge is willing to undertake. Designation and assignment of a retired justice or judge in connection with any matter pending in the supreme court shall be made by the supreme court. Designation and assignment of a retired justice or judge in connection with any matter pending in any other court, including any court located within the judicial district in which the justice or judge resides, or to perform any other judicial service or duties shall be made by the chief justice of the supreme court. Any such judicial service or duties shall include necessary preparation and other out-of-court judicial service for

hearings or for deciding matters or cases in conjunction with the judicial services and duties assigned under this section. Any designation and assignment may be revoked in the same manner and all such designations and assignments and revocations shall be filed of record in the office of the clerk of the court to which such assignment is made.

(b) A retired justice or judge so designated and assigned to perform judicial service or duties shall have the power and authority to hear and determine all matters covered by the assignment.

(c) Except as otherwise provided in this section, each retired justice or judge who performs judicial service or duties under this section shall receive: (1) Per diem compensation at the rate of per diem compensation in effect under K.S.A. 46-137a, and amendments thereto; (2) a per diem subsistence allowance at the per diem subsistence allowance rate in effect under K.S.A. 46-137a, and amendments thereto; (3) a mileage allowance at the rate fixed under K.S.A. 75-3203a, and amendments thereto; and (4) all actual and necessary expenses for other than subsistence or travel, including necessary stenographic assistance, as may be incurred in performing such service or duties.

(d) No retired justice or judge shall be entitled to receive per diem compensation under this section for any day in a fiscal year after the date that the total of (1) the amount of per diem compensation earned under this section during that fiscal year and (2) the amount of the retirement annuity payable to such retired justice or judge for that fiscal year under the retirement system for judges, becomes equal to or more than the amount of the current annual salary of a district judge paid by the state under ~~K.S.A. 75-3120g section 4~~, and amendments thereto, but such retired justice or judge shall receive the subsistence allowance, mileage allowance and actual and necessary expenses as provided under this section after such date.

(e) As used in this section, a retired justice or judge shall not include those justices or judges who were not retained in office, were not reelected to office, have been impeached from office or removed by the supreme court from office.

Sec. 6. On and after January 1, 2025, K.S.A. 22a-105 is hereby amended to read as follows: 22a-105. Each of the district attorneys elected under this act shall receive an annual salary in the amount of no less than the salary provided for district judges in ~~K.S.A. 75-3120g section 4~~, and amendments thereto. The salary of each district attorney shall be paid by the county comprising the judicial district in which the district attorney is elected in equal monthly installments and in the manner county officers and employees are paid. The district attorneys and their deputies and assistants shall be reimbursed for their actual travel and subsistence expenses incurred while in the performance of their official duties within or without the district.

Sec. 7. On and after January 1, 2025, K.S.A. 40-102 is hereby amended to read as follows: 40-102. There is hereby established a department to be known as the insurance department, ~~which and such department~~ shall have a chief officer entitled the commissioner of insurance ~~who shall receive, except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, a salary at a biweekly pay rate of \$3,307.81, and such officer.~~ The commissioner of insurance shall be charged with the administration of all laws relating to insurance, insurance companies and fraternal benefit societies doing business in this state; and all other duties ~~which that~~ are or may be imposed upon such officer by law.

Sec. 8. On and after January 1, 2025, K.S.A. 75-3103 is hereby amended to read as follows: 75-3103. (a) The lieutenant governor shall receive, as reimbursement for

expenses the following: (1) Biweekly the sum of \$76.91, except as otherwise provided in subsection (e); and (2) when attending the duties of office or attending any authorized meeting, in addition to other provisions of this section, travel expenses and subsistence expenses and allowances in amounts equal to those provided for by K.S.A. 75-3212, and amendments thereto.

(b) ~~In addition to any other compensation provided by law and except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, the lieutenant governor shall also receive for services in the performance of duties imposed by law compensation at the biweekly pay rate of \$1,204.35, an annual salary equal to 25% of the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date.~~ While acting as governor, the lieutenant governor shall receive the same salary as the governor. The lieutenant governor may appoint an administrative assistant and other office and stenographic employees, all of whom shall be in the unclassified service of the Kansas civil service act. Such administrative assistant shall receive travel expenses and subsistence expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto, when traveling as authorized by the lieutenant governor.

~~(b)(c)~~ (c) If the lieutenant governor is appointed by the governor under the provision of K.S.A. 75-303, and amendments thereto, the lieutenant governor shall receive a salary to be fixed by the governor pursuant to section 3, and amendments thereto, or a salary as provided for in subsection (a) of this section (b), whichever is greater.

~~(e) Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 2009, the sum provided biweekly for reimbursement of expenses pursuant to subsection (a)(1) for the lieutenant governor shall be increased on the effective date of any such pay plan increase by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the biweekly sum provided to the lieutenant governor for reimbursement of expenses as authorized by this section.~~

Sec. 9. On and after January 1, 2025, K.S.A. 75-3120k is hereby amended to read as follows: 75-3120k. (a) ~~The annual salary of district magistrate judges shall be paid in equal installments each payroll period in accordance with this section.~~

~~(b) Subject to the provisions of subsection (e) and except as otherwise provided in K.S.A. 75-3120l, and amendments thereto, the annual salary of district magistrate judges shall be \$59,059.~~

~~(e) Within the limits of the appropriations therefor, the county or counties comprising the judicial district may supplement the salary of, or pay any compensation to, any district magistrate judge. Any such supplemental salary or compensation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the district magistrate judge supplemental compensation fund. Any associated employer contributions and payments with respect to such supplemental salary or compensation that are made payable under law shall be paid by the county or counties providing such supplemental salary or compensation, in addition to such supplemental salary or compensation, in the same manner and under the same conditions and requirements as compensation payable pursuant to subsection (b) section 4, and amendments thereto.~~ All such associated employer contributions and payments shall be remitted for deposit in the state treasury and shall be credited to the

district magistrate supplemental compensation fund at the same time and in the same manner as such supplemental salary or compensation. As used in this section, employer contributions shall include, and the county or counties shall be required to contribute, employer contributions required pursuant to K.S.A. 20-2605, and amendments thereto, for any district magistrate judge who is a member of the retirement system for judges.

~~(A)~~(b) There is hereby established in the state treasury the district magistrate judge supplemental compensation fund.

~~(E)~~(c) All moneys credited to the district magistrate judge supplemental compensation fund shall be paid to, or on behalf of, the district magistrate judge or district magistrate judges for whom such moneys were remitted by the county or counties subject to the same conditions or restrictions imposed or prescribed by law, including any applicable withholding or other taxes, associated employer contributions and authorized payroll deductions.

~~(F)~~(d) All expenditures from the district magistrate judge supplemental compensation fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

~~(G)~~(e) All salary or other compensation under this section shall be considered to be compensation provided by law for services as a district magistrate judge for all purposes under law.";

Also on page 3, following line 25, by inserting:

"Sec. 11. On and after January 1, 2025, K.S.A. 20-2616, 22a-105, 40-102, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h, 75-3120k and 75-3120l and K.S.A. 2022 Supp. 20-318 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "legislature; relating to"; in line 2, by striking "members thereof" and inserting "certain state officials"; in line 8, after the semicolon by inserting "relating to the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer and commissioner of insurance; establishing the rate of pay for such state officials based on the annual rate of pay for members of congress, as adjusted by the provisions of this act; relating to the salaries of the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges; establishing the rate of pay for such justices and judges based on the annual rate of pay for a district judge of the United States, as adjusted by the provisions of this act; amending K.S.A. 20-2616, 22a-105, 40-102, 75-3103 and 75-3120k and K.S.A. 2022 Supp. 20-318 and repealing the existing sections; also"; also in line 8, after "46-3101" by inserting ", 75-3101, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h and 75-3120l";

And your committee on conference recommends the adoption of this report.

BARBARA WASINGER

BLAKE CARPENTER

JERRY STOGSDILL

*Conferees on part of House*

RICK BILLINGER

J R CLAEYS

PAT PETTEY

*Conferees on part of Senate*

Senator Claeys moved the Senate adopt the Conference Committee Report on **H Sub SB 229**.

On roll call, the vote was: Yeas 25; Nays 8; Present and Passing 3; Absent or Not Voting 4.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, Peck, Petersen, Pettey, Ryckman, Sykes, Thompson, Tyson, Ware, Wilborn.

Nays: Doll, Kerschen, Olson, Pittman, Pyle, Steffen, Straub, Warren.

Present and Passing: Baumgardner, Holland, Reddi.

Absent or Not Voting: Blasi, McGinn, O'Shea, Shallenburger.

The Conference Committee Report was adopted.

#### **TRIBUTES**

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of April 3 through April 6, 2023:

Senator Alley: celebrating the City of Winfield's 150th Anniversary;

Senator Billinger: congratulating the Hoxie High School Wrestling Team on winning the 2023 Class 3-2-1A Wrestling State Championship, congratulating Coach Mike Porsch on receiving the KCA and KWCA Coach of the Year Awards;

Senator Bowers: congratulating Phil and Pat Osborne on receiving the Blue Rapids Volunteer of the Year Award, celebrating Dwayne Turner's 100th Birthday;

Senator Faust Goudeau: congratulating Eugene Anderson on his selection for the Kansas Honor Flight;

Senator McGinn: congratulating Lander Ballard on his induction into the Kansas Music Hall of Fame, congratulating Jon Miller on his induction into the Kansas Music Hall of Fame; and

Senators Haley and Faust Goudeau: honoring the life of Musa "B.B." Njie.

On motion of Senator Alley, the senate adjourned pro forma until 10:00 a.m. April 24, 2023.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.

COREY CARNAHAN, *Secretary of the Senate*.

