

*{As Amended by Senate Committee of the Whole}*

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*As Amended by Senate Committee*

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**As Amended by House Committee**

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Session of 2023

## HOUSE BILL No. 2176

By Representatives Rhiley and Roth

1-25

1 AN ACT concerning *{libraries; relating to }*library districts; creating the  
2 Arkansas city area public library district act **and the Udall area public**  
3 **library district act**; requiring an election to create such district;  
4 authorizing a tax levy therefor; *{establishing the blind information*  
5 *access act; requiring the state librarian to contract with an*  
6 *organization to provide on-demand information access services to*  
7 *persons who are blind, visually impaired, deafblind or print disabled;*  
8 *establishing the blind information access fund; requiring the transfer*  
9 *of moneys from the Kansas universal service fund to provide for such*  
10 *services;}* amending K.S.A. *{66-2010 and }*75-2554 and repealing the  
11 existing ~~section~~ *{sections}*.  
12

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

14 New Section 1. When used in this act and unless otherwise  
15 specifically provided therein:

16 (a) "Board of education" means the board of education of unified  
17 school district No. 470;

18 (b) "city" means the city of Arkansas city, Kansas;

19 (c) "county" means Cowley county;

20 (d) "library" means a library that serves the general public and is  
21 supported in whole or in part with tax moneys and shall be called the  
22 Arkansas city area library district;

23 (e) "library district" means all territory located within the boundaries  
24 of unified school district No. 470; and

25 (f) "library district board" means the library district board of trustees  
26 ~~appointed~~ *{elected}* pursuant to the provisions of this act.

27 New Sec. 2. (a) The board of trustees of the Arkansas city public  
28 library may adopt a resolution proposing to create a library district and  
29 stating the proposed tax levy amount for the library district. Copies of the  
30 resolutions shall be filed with the county election officer, who shall call  
31 and hold an election thereon in the manner provided by the general bond  
32 law.

1 (b) If a majority of the qualified electors of the proposed library  
2 district vote in favor of the proposition:

3 (1) A library district shall be established and maintained, and a  
4 library district board shall be ~~appointed~~ *{elected}* as provided in this act;

5 (2) all contracts entered into by the Arkansas city public library shall  
6 be binding on the library district board ~~appointed~~ *{elected}* pursuant to  
7 section 3, and amendments thereto; and

8 (3) all outstanding bonds, debts and other obligations of the Arkansas  
9 city public library shall become an obligation of the Arkansas city area  
10 library district, except that all bonds and debts relating to the ownership or  
11 improvement of the real property on which the Arkansas city public library  
12 operates shall remain an obligation of the city of Arkansas city, Kansas.

13 New Sec. 3. (a) Any library district created pursuant to the provisions  
14 of this act shall be governed by a board of trustees. The board shall consist  
15 of seven members. ~~Four members shall be appointed by the governing~~  
16 ~~body of the city of Arkansas city with one such member residing outside~~  
17 ~~the city. Three members shall be appointed by the board of education and~~  
18 ~~shall reside outside the city of Arkansas city~~ *{The members shall be*  
19 *elected at the first general election held after the creation of such library*  
20 *district. Three members shall serve an initial term of two years and four*  
21 *members shall serve an initial term of four years. Thereafter, each*  
22 *member shall serve terms of four years. The board of trustees of the*  
23 *Arkansas city public library shall establish the district boundaries for*  
24 *each board position on the board of trustees of the library district and*  
25 *designate which board positions will serve an initial term of two years*  
26 *and which board positions will serve an initial term of four years}*.

27 (b) Members of the board of directors of the Arkansas city public  
28 library serving prior to the election creating the library district shall remain  
29 on the board until the ~~expiration of the term for which the member was~~  
30 ~~originally appointed. Such members shall be eligible for reappointment~~  
31 *{members elected to the library district board are sworn into office}*.

32 (c) ~~Members of the library district board shall be appointed for a term~~  
33 ~~of four years and until their successors are appointed and qualified. No~~  
34 ~~person who has been appointed for two consecutive four-year terms to the~~  
35 ~~library board shall be eligible for further appointment to the library board~~  
36 ~~until one year after the expiration of the second term. Vacancies on the~~  
37 library district board shall be filled by appointment for the unexpired term  
38 *{of the remaining members of the library district board}*.

39 (d) Members of the library district board shall receive no  
40 compensation but shall be paid their actual and necessary expenses in  
41 attending meetings and in carrying out their duties as members of the  
42 board.

43 New Sec. 4. (a) Each year, the members of the library district board

1 shall meet and organize by the election of a chairperson, a secretary, a  
2 treasurer and such other officers as they may deem necessary. The board  
3 shall fix the date and place of its regular meetings, and special meetings  
4 may be called by the chairperson or upon written request of a majority of  
5 the members. Written notice, stating the time and place of any special  
6 meeting and the purpose for which called, unless waived, shall be given to  
7 each member of the board at least two days in advance of such meeting,  
8 and no business other than business stated in the notice shall be transacted  
9 at such meeting.

10 (b) The treasurer of the library district board shall give bond in an  
11 amount fixed by the library district board and approved by the board of  
12 education. The bond shall be filed with the county clerk.

13 (c) The county treasurer shall pay over to the treasurer of the library  
14 district board all funds collected for the maintenance and support of the  
15 library district, and the treasurer of the library district board shall pay out  
16 the funds on orders of the board signed by the secretary and chairperson.  
17 Such treasurer shall keep an accurate record of all moneys received and  
18 disbursed and make a report to the library board monthly, or as often as the  
19 board requires.

20 New Sec. 5. The library shall be free for the use of the residents of  
21 the library district, subject to reasonable rules and regulations as the  
22 library district board may adopt. The library district board may exclude  
23 from the use of the library any person who shall willfully violate such  
24 rules. The library district board may extend the use and privilege of such  
25 library to nonresidents of the district, charge nonresidents a reasonable fee  
26 and make exchanges of books with any other library upon such terms and  
27 conditions as the library district board may prescribe.

28 New Sec. 6. The library district board shall constitute a body  
29 corporate and politic, possessing the usual powers of a corporation for  
30 public purposes and may contract, sue and be sued and acquire, hold and  
31 convey real and personal property in accordance with law. Further, the  
32 board shall have the power to:

33 (a) Make and adopt rules and regulations for the administration of the  
34 library;

35 (b) purchase or lease a site or sites and to lease or to erect a building  
36 or buildings for the use of the library;

37 (c) acquire by purchase, gift or exchange any books, magazines,  
38 papers, printed materials, slides, pictures, films, projection equipment,  
39 phonograph records and other materials and equipment deemed necessary  
40 by the board for the maintenance and extension of modern library services;

41 (d) employ a librarian and such other employees as the board deems  
42 necessary, to remove such employees and to fix their compensation;

43 (e) establish and maintain a library or libraries and traveling library

1 services within the district or within any other municipality with which  
2 service contract arrangements have been made;

3 (f) contract with other libraries or with the governing body of a  
4 municipality for the furnishing of library services to the inhabitants of such  
5 municipality to the extent and upon such terms as may be agreed upon and  
6 to contract with any school board to furnish library services to any school  
7 library or to use the library facilities of the public school to supplement the  
8 facilities of the public library;

9 (g) receive, accept and administer any moneys appropriated or  
10 granted to it by the state or the federal government or any agency or  
11 subdivision thereof for the purpose of aiding or providing library services;

12 (h) receive and accept any gift or donation to the library and  
13 administer the same in accordance with any provisions thereof. If no  
14 provisions are specified, the board shall have the power to hold, invest or  
15 reinvest the gift and any dividends, interest, rent or income derived from  
16 the gift in the manner the board deems will best serve the interests of the  
17 library;

18 (i) receive and accept any grant, gift, donation or appropriated or  
19 other funds from the United States government, or its agencies, or any  
20 other source whatsoever for the purposes of the library district established  
21 under this act;

22 (j) make annual reports to the state librarian and the governing body  
23 of the board of education each year for the preceding calendar year  
24 showing receipts and disbursements from all funds under its control and  
25 showing such statistical information relating to library materials acquired  
26 and on hand, number of library users, library services available and other  
27 information of general interest as the governing body requires; and

28 (k) place moneys received from sources other than a tax levy for  
29 library purposes in a separate fund or funds or in the fund to which the tax  
30 levy moneys are credited, unless the grantor or donor directs how and for  
31 what purpose the money shall be spent.

32 New Sec. 7. (a) The library district board shall prepare an annual  
33 budget for the maintenance, support and operation of the library. Prior to  
34 the certification of its budget to the board of education, the library district  
35 board shall meet for the purpose of answering and hearing objections of  
36 taxpayers relating to the proposed budget and for the purpose of  
37 considering amendments to such proposed budget. The library district  
38 board shall give at least 10 days' notice of the time and place of the  
39 meeting by publication in a weekly or daily newspaper having general  
40 circulation in the taxing district. Such notice shall include the proposed  
41 budget and shall set out all essential items in the budget. The public  
42 hearing required to be held shall be held not less than 10 days prior to the  
43 date on which the library board is required to certify its budget to the

1 board of education. After such hearing, the budget shall be adopted or  
2 amended and adopted by the library district board by passage of a  
3 resolution. A copy of the budget shall be filed with the clerk of the board  
4 of education and the Cowley county clerk.

5 (b) Any resolution adopted under subsection (a) shall state the total  
6 amount of the tax to be levied for the library district by the board of  
7 education. The resolution shall be published once each week for two  
8 consecutive weeks in the official newspaper of the taxing district. Such tax  
9 levy shall be levied on behalf of the library district by the board of  
10 education.

11 (c) Such tax levy amount may be levied in each successive budget  
12 year unless a petition requesting an election upon the proposition to  
13 increase the tax levy in excess of the current tax levy, signed by at least 5%  
14 of the qualified voters of the taxing district, is filed with the county  
15 election officer within 30 days following the date of the last publication of  
16 the resolution. In the event a valid petition is filed, no such increased levy  
17 shall be made without such proposition having been submitted to and  
18 approved by a majority of the voters of the taxing district voting at an  
19 election.

20 (d) Any such election shall be called and held in the manner provided  
21 by the general bond law, and the cost of the election shall be paid by the  
22 library district board. Such taxes shall be levied and collected in like  
23 manner as other taxes, and the board of education shall certify such levy  
24 to the county clerk, who is hereby authorized to levy tax on behalf of the  
25 library district.

26 (e) The tax levy provided in this section shall not be considered to be  
27 a tax levy of the board of education.

28 (f) All financial records of the library board shall be audited as  
29 provided in K.S.A. 75- 1122, and amendments thereto, and a copy of  
30 such annual audit report shall be filed with the board of education and  
31 with the Cowley county clerk. The cost of each audit shall be paid by the  
32 library district board.

33 (g) Notwithstanding any other provision of law, upon the date the tax  
34 levy provided for in this act takes effect, no tax levy on land within the  
35 library district created by this act shall be imposed, ~~required or collected~~  
36 ***for any subsequent calendar year*** to support a regional system of  
37 cooperating libraries. ***On such date, the Arkansas city public library shall***  
38 ***cease to be a participating library in the south central Kansas library***  
39 ***system. Such library district may submit a petition to join the south***  
40 ***central Kansas library system as a participating library.***

41 New Sec. 8. Sections 1 through 8, and amendments thereto, shall be  
42 known and may be cited as the Arkansas city area public library district  
43 act.

1 New Sec. 9. When used in this act and unless otherwise  
2 specifically provided therein:

3 (a) "Board of education" means the board of education of unified  
4 school district No. 463;

5 (b) "city" means the city of Udall, Kansas;

6 (c) "county" means Cowley county;

7 (d) "library" means a library that serves the general public and  
8 is supported in whole or in part with tax moneys and shall be called  
9 the Udall area public district library;

10 (e) "library district" means all territory located within the  
11 boundaries of unified school district No. 463; and

12 (f) "library district board" means the library district board of  
13 trustees ~~appointed~~ {elected} pursuant to the provisions of this act.

14 New Sec. 10. (a) The board of trustees of the Udall public library  
15 may adopt a resolution proposing to create a library district and  
16 stating the proposed tax levy amount for the library district. Copies of  
17 the resolutions shall be filed with the county election officer, who shall  
18 call and hold an election thereon. Such election shall be called and  
19 held in the manner provided by the general bond law.

20 (b) If a majority of the qualified electors of the proposed library  
21 district vote in favor of the proposition:

22 (1) A library district shall be established and maintained, and a  
23 library district board shall be ~~appointed~~ {elected} as provided in this  
24 act;

25 (2) all contracts entered into by Udall public library shall be  
26 binding on the library district board ~~appointed~~ {elected} pursuant to  
27 section 11, and amendments thereto; and

28 (3) all outstanding bonds, debts and other obligations of the Udall  
29 public library shall become an obligation of the Udall area library  
30 district, except that all bonds and debts relating to the ownership or  
31 improvement of the real property on which the Udall public library  
32 operates shall remain an obligation of the city of Udall, Kansas.

33 New Sec. 11. (a) Any library district created pursuant to the  
34 provisions of this act shall be governed by a board of trustees. The  
35 board shall consist of seven members. ~~Four members shall be~~  
36 ~~appointed by the governing body of the city of Udall with one such~~  
37 ~~member residing outside the city. Three members shall be appointed~~  
38 ~~by the board of education and shall reside outside the city of Udall.~~  
39 *{The members shall be elected at the first general election held after the*  
40 *creation of such library district. Three members shall serve an initial*  
41 *term of two years and four members shall serve an initial term of four*  
42 *years. Thereafter, each member shall serve terms of four years. The*  
43 *board of trustees of the Udall public library shall establish the district*

1 *boundaries for each board position on the board of trustees of the*  
2 *library district and designate which board positions will serve an initial*  
3 *term of two years and which board positions will serve an initial term of*  
4 *four years}.*

5 (b) Members of the board of directors of the Udall public library  
6 serving prior to the election creating the library district shall remain  
7 on the board until the ~~expiration of the term for which the member~~  
8 ~~was originally appointed. Such members shall be eligible for~~  
9 ~~reappointment}~~ *members elected to the library district board are sworn*  
10 *into office}.*

11 (c) ~~Members of the library district board shall be appointed for a~~  
12 ~~term of four years and until their successors are appointed and~~  
13 ~~qualified. No person who has been appointed for two consecutive four-~~  
14 ~~year terms to the library board shall be eligible for further~~  
15 ~~appointment to the library board until one year after the expiration of~~  
16 ~~the second term.~~ Vacancies on the library district board shall be filled  
17 by appointment for the unexpired term *{ of the remaining members of*  
18 *the library district board}.*

19 (d) Members of the library district board shall receive no  
20 compensation but shall be paid their actual and necessary expenses in  
21 attending meetings and in carrying out their duties as members of the  
22 board.

23 New Sec. 12. (a) Each year, the members of a library district  
24 board shall meet and organize by the election of a chairperson, a  
25 secretary, a treasurer and such other officers as they may deem  
26 necessary. The board shall fix the date and place of its regular  
27 meetings, and special meetings may be called by the chairperson or  
28 upon written request of a majority of the members. Written notice,  
29 stating the time and place of any special meeting and the purpose for  
30 which called, unless waived, shall be given to each member of the  
31 board at least two days in advance of such meeting, and no business  
32 other than business stated in the notice shall be transacted at such  
33 meeting.

34 (b) The treasurer of the library district board shall give bond in  
35 an amount fixed by the library district board and approved by the  
36 board of education. The bond shall be filed with the county clerk.

37 (c) The county treasurer shall pay over to the treasurer of the  
38 library district board all funds collected for the maintenance and  
39 support of the library district, and the treasurer of the library district  
40 board shall pay out the funds on orders of the board signed by the  
41 secretary and chairperson. Such treasurer shall keep an accurate  
42 record of all moneys received and disbursed and make a report to the  
43 library board monthly, or as often as the board requires.

1       **New Sec. 13. The library shall be free for the use of the residents**  
2 **of the library district, subject to reasonable rules and regulations as**  
3 **the library district board may adopt. The library board may exclude**  
4 **from the use of the library any and all persons who shall willfully**  
5 **violate such rules. The library board may extend the use and privilege**  
6 **of such library to nonresidents of the district, charge nonresidents a**  
7 **reasonable fee and make exchanges of books with any other library**  
8 **upon such terms and conditions as the library district board may**  
9 **prescribe.**

10       **New Sec. 14. The library district board shall constitute a body**  
11 **corporate and politic, possessing the usual powers of a corporation for**  
12 **public purposes and may contract, sue and be sued and acquire, hold**  
13 **and convey real and personal property in accordance with law.**  
14 **Further, the board shall have the power to:**

15       **(a) Make and adopt rules and regulations for the administration**  
16 **of the library;**

17       **(b) purchase or lease a site or sites and to lease or to erect a**  
18 **building or buildings for the use of the library;**

19       **(c) acquire by purchase, gift or exchange any books, magazines,**  
20 **papers, printed materials, slides, pictures, films, projection**  
21 **equipment, phonograph records and other material and equipment**  
22 **deemed necessary by the board for the maintenance and extension of**  
23 **modern library services;**

24       **(d) employ a librarian and such other employees as the board**  
25 **deems necessary, to remove such employees and to fix their**  
26 **compensation;**

27       **(e) establish and maintain a library or libraries and traveling**  
28 **library services within the district or within any other municipality**  
29 **with which service contract arrangements have been made;**

30       **(f) contract with other libraries or with the governing body of a**  
31 **municipality for the furnishing of library services to the inhabitants of**  
32 **such municipality to the extent and upon such terms as may be agreed**  
33 **upon and to contract with any school board to furnish library services**  
34 **to any school library or to use the library facilities of the public school**  
35 **to supplement the facilities of the public library;**

36       **(g) receive, accept and administer any moneys appropriated or**  
37 **granted to it by the state or the federal government or any agency or**  
38 **subdivision thereof for the purpose of aiding or providing library**  
39 **services;**

40       **(h) receive and accept any gift or donation to the library and**  
41 **administer the same in accordance with any provisions thereof. If no**  
42 **provisions are specified, the board shall have the power to hold, invest**  
43 **or re-invest the gift and any dividends, interest, rent or income**



1 derived from the gift in the manner the board deems will best serve  
2 the interests of the library;

3 (i) receive and accept any grant, gift, donation or appropriated or  
4 other funds from the United States government, or its agencies, or any  
5 other source whatsoever for the purposes of the library district  
6 established under this act;

7 (j) make annual reports to the state librarian and the governing  
8 body of the board of education each year for the preceding calendar  
9 year showing receipts and disbursements from all funds under its  
10 control and showing such statistical information relating to library  
11 materials acquired and on hand, number of library users, library  
12 services available and other information of general interest as the  
13 governing body requires; and

14 (k) place moneys received from sources other than a tax levy for  
15 library purposes in a separate fund or funds or in the fund to which  
16 the tax levy moneys are credited, unless the grantor or donor directs  
17 how and for what purpose the money shall be handled and spent.

18 New Sec. 15. (a) The library district board shall prepare an  
19 annual budget for the maintenance, support and operation of the  
20 library. Prior to the certification of its budget to the board of  
21 education, the library board shall meet for the purpose of answering  
22 and hearing objections of taxpayers relating to the proposed budget  
23 and for the purpose of considering amendments to such proposed  
24 budget. The library board shall give at least 10 days' notice of the time  
25 and place of the meeting by publication in a weekly or daily  
26 newspaper having general circulation in the taxing district. Such  
27 notice shall include the proposed budget and shall set out all essential  
28 items in the budget. The public hearing required to be held shall be  
29 held not less than 10 days prior to the date on which the library board  
30 is required to certify its budget to the board of education. After such  
31 hearing, the budget shall be adopted or amended and adopted by the  
32 library board by passage of a resolution. A copy of the budget shall be  
33 filed with the clerk of the board of education and the Cowley county  
34 clerk.

35 (b) Any resolution adopted under subsection (a) shall state the  
36 total amount of the tax to be levied for the library district by the  
37 board of education. The resolution shall be published once each week  
38 for two consecutive weeks in the official newspaper of the taxing  
39 district. Such tax levy shall be levied on behalf of the library district  
40 by the board of education.

41 (c) Such tax levy amount may be levied in each successive budget  
42 year unless a petition requesting an election upon the proposition to  
43 increase the tax levy in excess of the current tax levy, signed by at least

1 5% of the qualified voters of the taxing district, is filed with the  
2 county election officer within 30 days following the date of the last  
3 publication of the resolution. In the event a valid petition is filed, no  
4 such increased levy shall be made without such proposition having  
5 been submitted to and approved by a majority of the voters of the  
6 taxing district voting at an election.

7 (d) Any such election shall be called and held in the manner  
8 provided by the general bond law, and the cost of the election shall be  
9 paid by the library district board. Such taxes shall be levied and  
10 collected in like manner as other taxes, and the board of education  
11 shall certify such levy to the county clerk, who is hereby authorized to  
12 levy tax on behalf of the library district.

13 (e) The tax levy provided in this section shall not be considered to  
14 be a tax levy of the board of education.

15 (f) All financial records of the library board shall be audited as  
16 provided in K.S.A. 75-1122, and amendments thereto, and a copy of  
17 such annual audit report shall be filed with the board of education and  
18 with the Cowley county clerk. The cost of each audit shall be paid by  
19 the library district board.

20 (g) Notwithstanding any other provision of law, upon the date the  
21 tax levy provided for in this act takes effect, no tax levy on land within  
22 the library district created by this act shall be imposed, ~~required or~~  
23 ~~collected~~ for any subsequent calendar year to support a regional system  
24 of cooperating libraries. *On such date, the Udall public library shall*  
25 *cease to be a participating library in the south central Kansas library*  
26 *system. Such library district may submit a petition to join the south*  
27 *central Kansas library system as a participating library.*

28 New Sec. 16. Sections 9 through 16, and amendments thereto,  
29 shall be known and may be cited as the Udall area public library  
30 district act.

31 *{New Sec. 17. (a) This act shall be known and may be cited as the*  
32 *blind information access act.*

33 (b) *The state librarian shall estimate the cost of entering into a*  
34 *contract with an organization that delivers on-demand information*  
35 *access services to persons who are blind, visually impaired, deafblind,*  
36 *print disabled or who have another disability. Such services shall provide*  
37 *access to digital content through audio, electronic text and braille*  
38 *reading technologies and other related services, including, but not*  
39 *limited to, Kansas specific publications, national publications,*  
40 *international publications, breaking news sources and localized*  
41 *emergency weather alerts. Such on-demand information access services*  
42 *shall be provided using telecommunication services or internet services*

43 (c) *On or before November 1 of each year, the state librarian shall*

1 *submit a report to the legislature and the state corporation commission*  
2 *that specifies the estimate of the cost to enter into a contract to provide*  
3 *such on-demand information access services and shall certify such cost*  
4 *to the director of accounts and reports and the administrator of the*  
5 *Kansas universal service fund. Upon receipt of such certification, the*  
6 *total amount certified shall be transferred by the administrator of the*  
7 *Kansas universal service fund from the Kansas universal service fund to*  
8 *the state treasurer in the following calendar year by 12 equal monthly*  
9 *installment payments. Upon receipt of each such payment, the state*  
10 *treasurer shall deposit such amount in the state treasury and credit such*  
11 *amount to the blind information access fund.*

12 *(d) Upon receipt of the amount certified pursuant to subsection (c),*  
13 *the state librarian shall enter into or renew the contract required*  
14 *pursuant to this section.*

15 *(e) There is hereby created in the state treasury the blind*  
16 *information access fund. All moneys credited to the blind information*  
17 *access fund shall be used by the state librarian to implement the*  
18 *provisions of this section. All expenditures from the blind information*  
19 *access fund shall be made in accordance with appropriation acts upon*  
20 *warrants of the director of accounts and reports issued pursuant to*  
21 *vouchers approved by the state librarian or the state librarian's designee.*

22 *(f) The state librarian shall promote the information access services*  
23 *to persons who may be eligible for such services.*

24 *Sec. 18. K.S.A. 66-2010 is hereby amended to read as follows: 66-*  
25 *2010. (a) The commission shall utilize a competitive bidding process to*  
26 *select a neutral, competent and bonded third party to administer the*  
27 *KUSF.*

28 *(b) The administrator shall be responsible for: (1) Collecting and*  
29 *auditing all relevant information from all qualifying*  
30 *telecommunications public utilities, telecommunications carriers or*  
31 *wireless telecommunications service providers receiving funds from or*  
32 *providing funds to the KUSF; (2) verifying, based on the calculations of*  
33 *each qualifying telecommunications carrier, telecommunications public*  
34 *utility or wireless telecommunications service provider, the obligation of*  
35 *each such qualifying carrier, utility or provider to generate the funds*  
36 *required by the KUSF; (3) collecting all moneys due to the KUSF from*  
37 *all telecommunications public utilities, telecommunications carriers and*  
38 *wireless telecommunications service providers in the state; and (4)*  
39 *distributing amounts on a monthly basis due to qualifying*  
40 *telecommunications public utilities, wireless telecommunications service*  
41 *providers and telecommunications carriers receiving KUSF funding.*

42 *(c) Any information made available or received by the*  
43 *administrator from carriers, utilities or providers receiving funds from*

1 *or providing funds to the KUSF shall not be subject to any provisions of*  
2 *the ~~Kansas open records act and shall be considered confidential and~~*  
3 *proprietary.*

4 *(d) The administrator shall be authorized to maintain an action to*  
5 *collect any funds owed by any telecommunications carrier, public utility*  
6 *or wireless telecommunications provider in the district court in the*  
7 *county of the registered office of such carrier, utility or provider or, if*  
8 *such carrier, utility or provider does not have a registered office in the*  
9 *state, such an action may be maintained in the county where such*  
10 *carrier's, utility's or provider's principal office is located. If such carrier,*  
11 *utility or provider has no principal office in the state, such an action*  
12 *may be maintained in the district court of any county in which such*  
13 *carrier, utility or provider provides service.*

14 *(e) (1) The KUSF administrator shall be responsible to ensure that*  
15 *funds do not fall below the level necessary to pay all amounts collectively*  
16 *owed to all qualifying telecommunications public utilities, wireless*  
17 *telecommunications service providers ~~and, telecommunications carriers~~*  
18 *and the information access services contracted for pursuant to section 17,*  
19 *and amendments thereto. The administrator shall have the authority to*  
20 *retain and invest in a prudent and reasonable manner any excess funds*  
21 *collected in any period to help ensure that adequate funds are available*  
22 *to cover amounts payable in other periods.*

23 ~~(2) Subject to the provisions of appropriations acts, for fiscal year~~  
24 ~~2013, the KUSF administrator may transfer moneys from the KUSF to the~~  
25 ~~state treasurer. Upon the receipt of any payment, the state treasurer shall~~  
26 ~~deposit the entire amount in the state treasury and credit it to the KAN-ED~~  
27 ~~fund. Any such payments shall be made after all payments required by~~  
28 ~~K.S.A. 66-2008, and amendments thereto, for the month are made from~~  
29 ~~the KUSF.~~

30 *(2) Upon receipt of the certification from the state librarian issued*  
31 *pursuant to section 17, and amendments thereto, the KUSF administrator*  
32 *shall transfer the total amount of moneys certified by the state librarian*  
33 *from the KUSF to the state treasurer in the following calendar year by 12*  
34 *equal monthly installment payments. Upon receipt of each such payment,*  
35 *the state treasurer shall deposit such amount in the state treasury and*  
36 *credit such amount to the blind information access fund.}*

37 ~~Sec. ~~9-17, {19,}~~ K.S.A. 75-2554 is hereby amended to read as~~  
38 ~~follows: 75-2554. As used in this act, unless the context clearly indicates a~~  
39 ~~different meaning:~~

40 (a) "Local public libraries" mean:

41 (1) Kansas libraries operating under the provisions of K.S.A. 12-1215  
42 ~~to through 12-1248, inclusive, and amendments thereto;~~

43 (2) libraries operating under the provisions of K.S.A. ~~1997 Supp. 12-~~

1 1260 ~~to~~ *through* 12-1270, ~~inclusive~~, and amendments thereto;

2 (3) *libraries operating under the provisions of sections 1 through 8,*  
3 *and amendments thereto;*

4 (4) **libraries operating under the provisions of sections 9 through**  
5 **16, and amendments thereto;**

6 (5) libraries operating under the provisions of K.S.A. ~~1997 Supp.~~ 12-  
7 1276, and amendments thereto;

8 ~~(4)(5)~~(6) libraries operating under the provisions of K.S.A. 72-1623,  
9 and amendments thereto; or

10 ~~(5)(6)~~(7) municipalities contracting with any library for the  
11 furnishing of library services to such municipality pursuant to K.S.A. 12-  
12 1230 or 12-1269, and amendments thereto;

13 (b) "regional libraries" mean the regional systems of libraries  
14 heretofore organized and operating under authority of K.S.A. 75-2547 ~~to~~  
15 *through* 75-2552, ~~inclusive~~, and amendments thereto;

16 (c) "state library" means the Kansas state library created and  
17 operating under authority of K.S.A. 75-2534, and amendments thereto; and

18 (d) "state librarian" means the state librarian appointed pursuant to  
19 K.S.A. 75-2535, and amendments thereto.

20 Sec. ~~10.~~ ~~18.~~ {20.} K.S.A. {66-2010 and }75-2554 ~~is~~ {are} hereby  
21 repealed.

22 Sec. ~~H.~~ ~~19.~~ {21.} This act shall take effect and be in force from and  
23 after its publication in the statute book.