

## HOUSE BILL No. 2690

By Committee on Energy, Utilities and Telecommunications

Requested by Representative Delperdang on behalf of Representative Hoffman and Representative Carmichael

2-5

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1 AN ACT concerning emergency communication services; establishing the  
2 state 911 board; abolishing the 911 coordinating council; transferring  
3 the powers, duties and functions of the 911 coordinating council to the  
4 state 911 board; authorizing the board to appoint an executive director  
5 and other employees to carry out the powers, duties and functions of  
6 the board; abolishing the 911 operations fund, the 911 state grant fund  
7 and the 911 state fund and establishing the state 911 operations fund,  
8 the state 911 grant fund and the state 911 fund in the state treasury;  
9 authorizing counties to contract for the provision of 911 PSAP services  
10 with another county; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-  
11 5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16  
12 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-  
13 5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23  
14 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-  
15 5375, as amended by section 26 of this act, 12-5375, as amended by  
16 section 27 of this act, and 12-5377 and repealing the existing sections;  
17 also repealing K.S.A. 12-5364, as amended by section 12 of this act,  
18 12-5378 and 12-5379.  
19

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

21 New Section 1. (a) There is hereby established the state 911 board.  
22 The board shall consist of 19 voting members and shall include individuals  
23 with technical expertise regarding 911 systems, internet technology and  
24 GIS technology.

25 (1) The following 15 voting members shall be appointed by the  
26 governor:

27 (A) Two members representing information technology personnel  
28 from governmental units;

29 (B) one member representing the Kansas sheriff's association;

30 (C) one member representing the Kansas association of chiefs of  
31 police;

32 (D) one member representing a fire chief;

33 (E) one member recommended by the adjutant general;

34 (F) one member recommended by the Kansas emergency medical

1 services board;

2 (G) one member recommended by the Kansas commission for the  
3 deaf and hard of hearing;

4 (H) two members representing PSAPs located in counties having a  
5 population less than 75,000, at least one of which shall be an administrator  
6 of a PSAP or have extensive prior 911 experience in Kansas;

7 (I) two members representing PSAPs located in counties having a  
8 population of 75,000 or more, at least one of which shall be an  
9 administrator of a PSAP or have extensive prior 911 experience in Kansas;

10 (J) one member representing the Kansas chapter of the association of  
11 public safety communications officials;

12 (K) one member recommended by the league of Kansas  
13 municipalities; and

14 (L) one member recommended by the Kansas association of counties.

15 (2) The following four voting members shall be appointed as follows:

16 (A) One member of the Kansas house of representatives appointed by  
17 the speaker of the house;

18 (B) one member of the Kansas house of representatives appointed by  
19 the minority leader of the house;

20 (C) one member of the Kansas senate appointed by the president of  
21 the senate; and

22 (D) one member of the Kansas senate appointed by the minority  
23 leader of the senate.

24 (b) The state 911 board shall include the following nine nonvoting  
25 members to be appointed by the governor:

26 (1) One member representing rural telecommunications companies  
27 recommended by the Kansas rural independent telephone companies;

28 (2) one member representing incumbent local exchange carriers with  
29 over 50,000 access lines;

30 (3) one member representing large wireless providers;

31 (4) one member representing VoIP providers;

32 (5) one member recommended by the Kansas geographic information  
33 systems policy board;

34 (6) one member recommended by the Kansas office of information  
35 technology services;

36 (7) one member recommended by the Mid-America regional council  
37 who shall be a Kansas resident; and

38 (8) two members representing non-traditional PSAPs, one of whom  
39 shall be a representative of tribal government.

40 (c) (1) The governor shall select the chairperson of the state 911  
41 board. The chairperson shall serve as chairperson at the pleasure of the  
42 governor and shall have extensive prior 911 experience in Kansas. The  
43 chairperson shall serve subject to the direction of the board and ensure that

1 policies adopted by the board are carried out.

2 (2) The chairperson of the board or the chairperson's designee may  
3 sign any certifications required for federal grants pursuant to 47 C.F.R part  
4 400.

5 (d) (1) Except as otherwise provided in this subsection, the terms of  
6 office for members of the board shall commence upon appointment. Each  
7 member shall serve a term of three years and until a successor has been  
8 appointed pursuant to this section. No voting member shall serve longer  
9 than two successive three-year terms, except that any person appointed to  
10 fulfill an unexpired term of a voting member may finish the term of the  
11 predecessor and such appointment shall not preclude the person from  
12 subsequently serving two successive three-year terms.

13 (2) On July 1, 2025, each member appointed to and currently serving  
14 a term on the 911 coordinating council pursuant to K.S.A. 12-5364, prior  
15 to its repeal, shall be deemed to be appointed to and a member of the state  
16 911 board. The initial term of each such member shall expire at the time  
17 such member's original term would have expired as a member of the 911  
18 coordinating council pursuant to K.S.A. 12-5364, prior to its repeal, and  
19 until a successor has been appointed pursuant to this section.

20 (3) The term of all members of the board shall expire on June 30 in  
21 the year that such member's term expires.

22 (e) Members of the board and other persons appointed to  
23 subcommittees by the board may receive reimbursement for meals and  
24 travel expenses, but shall serve without other compensation with the  
25 exception of legislative members, who shall receive compensation  
26 pursuant to K.S.A. 75-3212, and amendments thereto.

27 (f) The provisions of this section shall take effect and be in force on  
28 and after July 1, 2025.

29 New Sec. 2. (a) The state 911 board shall:

30 (1) Coordinate E-911 services and next generation 911 services in the  
31 state;

32 (2) implement statewide 911 communications planning;

33 (3) monitor the delivery of 911 communications services in the state;

34 (4) develop strategies for future enhancements to the 911 system;

35 (5) administer and oversee grants to PSAPs;

36 (6) develop technology standards;

37 (7) establish minimum training requirements for PSAP personnel,  
38 GIS technicians and information technology technicians with respect to the  
39 statewide NG911 call handling system technology to ensure public safety  
40 across Kansas;

41 (8) employ a full-time executive director; and

42 (9) make an annual report of all expenditures from the 911 fees  
43 imposed pursuant to K.S.A. 12-5369 and 12-5371, and amendments

1 thereto, to the house of representatives standing committee on energy,  
2 utilities and telecommunications and the senate standing committee on  
3 utilities or their successor committees.

4 (b) The state 911 board may:

5 (1) Contract with any person to assist in the performance of the  
6 powers, duties and functions of the board;

7 (2) reimburse state agencies or independent contractors for expenses  
8 incurred in carrying out the powers, duties and functions of the board;

9 (3) apply for grants under the federal 911 grant program;

10 (4) recommend training for general PSAP operations; and

11 (5) adopt rules and regulations as the board deems necessary for the  
12 implementation and administration of the Kansas 911 act, except that the  
13 board shall not establish a mandatory certification program for PSAP  
14 operations or PSAP emergency communications personnel.

15 (c) The state 911 board may impose a civil penalty upon any provider  
16 that fails to collect the 911 fees pursuant to K.S.A. 12-5369, and  
17 amendments thereto, or remit such fees pursuant to K.S.A. 12-5370, and  
18 amendments thereto. Such written order shall state the violation, the  
19 penalty to be imposed and the right of the provider to appeal and request a  
20 hearing before the board. Any such provider may, within 15 days after  
21 service of the order, make a written request to the board for a hearing  
22 thereon. Hearings under this subsection shall be conducted in accordance  
23 with the provisions of the Kansas administrative procedure act. Any action  
24 of the board to impose a penalty shall be subject to review in accordance  
25 with the Kansas judicial review act. Any civil penalty recovered pursuant  
26 to this subsection shall be deposited in the 911 state grant fund.

27 (d) (1) The executive director of the state 911 board shall:

28 (A) Be the administrative officer of the board;

29 (B) be in the unclassified service of the Kansas civil service act; and

30 (C) receive an annual salary set by the board.

31 (2) The executive director may hire, subject to the approval of the  
32 board, assistant directors and employees as deemed necessary by the  
33 board. Any such assistant directors or employees shall be in the  
34 unclassified service of the Kansas civil service act.

35 (e) The provisions of this section shall take effect and be in force on  
36 and after July 1, 2025.

37 New Sec. 3. (a) On July 1, 2025, the 911 coordinating council  
38 established pursuant to K.S.A. 12-5364, prior to its repeal, is hereby  
39 abolished and the powers, duties and functions vested in and imposed  
40 upon the 911 coordinating council are hereby transferred to, vested in and  
41 imposed upon the state 911 board.

42 (b) On July 1, 2025, all employees of the 911 coordinating council  
43 who, immediately prior to such date, were engaged in the performance of

1 the powers, duties or functions that are transferred pursuant to this act, and  
2 who, in the opinion of the board, are necessary to perform the powers,  
3 duties and functions of the board, shall be transferred to and shall become  
4 employees of the board. Any such employee shall retain all retirement  
5 benefits and all rights of civil service that had accrued to or vested in such  
6 employee. The service of each such employee so transferred shall be  
7 deemed to have been continuous.

8 (c) The state 911 board shall succeed to all property and records of  
9 the 911 coordinating council. Any conflict as to the proper disposition of  
10 property or records arising under this section shall be determined by the  
11 governor and the decision of the governor shall be final.

12 (d) Whenever the 911 coordinating council, or words of like effect, is  
13 referred to or designated by any statute, rule or regulation, contract or  
14 other document, such reference or designation shall be deemed to apply to  
15 state 911 board.

16 (e) All rules and regulations of the 911 coordinating council in  
17 existence on July 1, 2025, shall continue to be effective and shall be  
18 deemed to be duly adopted rules and regulations of the state 911 board  
19 until amended, revoked or nullified pursuant to law.

20 (f) The provisions of this section shall take effect and be in force on  
21 and after July 1, 2025.

22 New Sec. 4 (a) (1) Every provider shall submit contact information  
23 for the provider to the state 911 board. Any provider that has not  
24 previously provided wireless telecommunications service in this state shall  
25 submit contact information for the provider to the board within three  
26 months of first offering wireless telecommunications services in this state.

27 (2) A provider of wireless telecommunications service shall:

28 (A) Receive prior approval from each PSAP within the provider's  
29 service area before directing emergency calls to such PSAP; and

30 (B) establish the unique emergency telephone number "911" across  
31 the state.

32 (3) Nothing in this act shall be construed to limit the ability of a  
33 provider from recovering directly from the provider's customers the costs  
34 associated with designing, developing, deploying and maintaining 911  
35 service and the cost of collection and administration of the fees imposed  
36 by K.S.A. 12-5369, and amendments thereto, whether such costs are  
37 itemized on the customer's bill as a surcharge or by any other lawful  
38 method.

39 (b) (1) Each PSAP and county that contracts with another county for  
40 the provision of 911 PSAP services shall file an annual report with the  
41 state 911 board by March 1 of each year demonstrating how such PSAP or  
42 county has spent the moneys earned from the 911 fees during the  
43 preceding calendar year. The board shall designate the content and form of

1 such report and may require additional associated documentation that shall  
2 be included.

3 (2) If a PSAP or county that contracts with another county for the  
4 provision of 911 PSAP services fails to file and finalize an annual report,  
5 the board shall provide notice of such failure to the PSAP or county and  
6 the governing body of such PSAP. If such PSAP or county fails to file or  
7 finalize an annual report within 60 days of receiving such notice, the board  
8 shall withhold 10% of each subsequent distribution of 911 fees to such  
9 PSAP or county pursuant to K.S.A. 12-5374, and amendments thereto. The  
10 board shall not discontinue such withholding until the PSAP or county  
11 submits a report in compliance with this section.

12 (c) (1) If the state 911 board finds that the GIS data for a PSAP or  
13 county that contracts with another county for the provision of 911 PSAP  
14 services is inaccurate, the board shall give written notice to the governing  
15 body that oversees the PSAP or county of such finding. If the board does  
16 not receive an acceptable proposal for the PSAP or county to bring the GIS  
17 data into compliance within 60 days following such notice, the board may  
18 contract with a third party to review and update the GIS data.

19 (2) If the board finds that the GIS data for a PSAP or county that  
20 contracts with another county for the provision of 911 PSAP services has  
21 not been updated for one year or more, the board shall give written notice  
22 to the governing body that oversees the PSAP or county of such finding.  
23 Such PSAP or county may provide an attestation that the GIS data has  
24 been reviewed and remains accurate. If the board receives such attestation  
25 and has information that the data may not be accurate, the board shall  
26 provide a written notice to the PSAP or county that describes the areas the  
27 board believes to be inaccurate. The PSAP or county shall have 30 days  
28 following receipt of such written notice to submit updated GIS data. If the  
29 updated GIS data is not received prior to such deadline, the board may  
30 contract with a third party to review and update the GIS data and may  
31 assess any costs incurred in updating the GIS data upon the governing  
32 body that oversees the PSAP.

33 (d) The provisions of this section shall take effect and be in force on  
34 and after July 1, 2025.

35 New Sec. 5. (a) There is hereby created in the state treasury the state  
36 911 operations fund. All moneys received pursuant to K.S.A. 12-5368, 12-  
37 5372 and 12-5374, and amendments thereto, for purposes of such fund  
38 shall be deposited into the state 911 operations fund. All expenditures from  
39 the state 911 operations fund shall be made in accordance with  
40 appropriation acts upon warrants of the director of accounts and reports  
41 issued pursuant to vouchers approved by the chairperson of the state 911  
42 board or the chairperson's designee.

43 (b) The state 911 operations fund shall be used only for the following

1 purposes:

2 (1) Administrative and operational expenses of the state 911 board,  
3 including salaries of persons employed by the board;

4 (2) payment and expenses incurred pursuant to contracts entered into  
5 by the board for the performance of the powers, duties and functions of the  
6 board;

7 (3) payment to state agencies or independent contractors for expenses  
8 incurred in carrying out the powers, duties and functions of the board; and

9 (4) development, deployment, implementation and maintenance of  
10 the statewide next generation 911 system.

11 (c) On or before the 10<sup>th</sup> of each month, the director of accounts and  
12 reports shall transfer from the state general fund to the state 911 operations  
13 fund interest earnings based on:

14 (1) The average daily balance of moneys in the state 911 operations  
15 fund for the preceding month; and

16 (2) the net earnings rate for the pooled money investment portfolio  
17 for the preceding month.

18 (d) The state 911 operations fund shall be used for the purposes set  
19 forth in this act and for no other governmental purposes. Moneys in the  
20 state 911 operations fund shall not be subject to the provisions of K.S.A.  
21 75-3722, 75-3725a and 75-3726a, and amendments thereto.

22 (e) On January 1, 2026:

23 (1) The LCPA shall remit to the state treasurer the balance of all  
24 moneys in the 911 operations fund established pursuant to K.S.A. 12-5368,  
25 and amendments thereto. Upon receipt of such remittance, the state  
26 treasurer shall deposit the entire amount in the state treasury and credit  
27 such amount to the state 911 operations fund.

28 (2) All liabilities of the 911 operations fund are hereby transferred to  
29 and imposed on the state 911 operations fund.

30 (3) The 911 operations fund established by the LCPA pursuant to  
31 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

32 (f) The provisions of this section shall take effect and be in force on  
33 and after January 1, 2026.

34 New Sec. 6. (a) There is hereby created in the state treasury the state  
35 911 grant fund. All moneys received pursuant to K.S.A. 12-5368 and 12-  
36 5374, and amendments thereto, for purposes of such fund shall be  
37 deposited into the state 911 grant fund. All expenditures from the state 911  
38 grant fund shall be made in accordance with appropriation acts upon  
39 warrants of the director of accounts and reports issued pursuant to  
40 vouchers approved by the chairperson of the state 911 board or the  
41 chairperson's designee.

42 (b) The state 911 grant fund shall be used only for the following  
43 purposes:

1 (1) Providing state grants for projects involving the development and  
2 implementation of next generation 911 services;

3 (2) provide grants to PSAPs based on demonstrated need; and

4 (3) costs associated with PSAP consolidation or cost-sharing projects.

5 (c) On or before the 10<sup>th</sup> of each month, the director of accounts and  
6 reports shall transfer from the state general fund to the state 911 grant fund  
7 interest earnings based on:

8 (1) The average daily balance of moneys in the state 911 grant fund  
9 for the preceding month; and

10 (2) the net earnings rate for the pooled money investment portfolio  
11 for the preceding month.

12 (d) The state 911 grant fund shall be used for the purposes set forth in  
13 this act and for no other governmental purposes. Moneys in the state 911  
14 grant fund shall not be subject to the provisions of K.S.A. 75-3722, 75-  
15 3725a and 75-3726a, and amendments thereto.

16 (e) On January 1, 2026:

17 (1) The LCPA shall remit to the state treasurer the balance of all  
18 moneys in the 911 state grant fund established pursuant to K.S.A. 12-5368,  
19 and amendments thereto. Upon receipt of such remittance, the state  
20 treasurer shall deposit the entire amount in the state treasury and credit  
21 such amount to the state 911 grant fund.

22 (2) All liabilities of the 911 state grant fund are hereby transferred to  
23 and imposed on the state 911 grant fund.

24 (3) The 911 state grant fund established by the LCPA pursuant to  
25 K.S.A. 12-5368, and amendments thereto, is hereby abolished.

26 (f) The provisions of this section shall take effect and be in force on  
27 and after January 1, 2026.

28 New Sec. 7. (a) There is hereby created in the state treasury the state  
29 911 fund. All moneys received pursuant to K.S.A. 12-5368 and 12-5374,  
30 and amendments thereto, for purposes of such fund shall be deposited into  
31 the state 911 fund. All expenditures from the state 911 fund shall be made  
32 in accordance with appropriation acts upon warrants of the director of  
33 accounts and reports issued pursuant to vouchers approved by the  
34 chairperson of the state 911 board or the chairperson's designee.

35 (b) The state 911 fund shall be used for direct distributions of moneys  
36 pursuant to K.S.A. 12-5374, and amendments thereto.

37 (c) On or before the 10<sup>th</sup> of each month, the director of accounts and  
38 reports shall transfer from the state general fund to the state 911 fund  
39 interest earnings based on:

40 (1) The average daily balance of moneys in the state 911 fund for the  
41 preceding month; and

42 (2) the net earnings rate for the pooled money investment portfolio  
43 for the preceding month.



1 (d) The state 911 fund shall be used for the purposes set forth in this  
2 act and for no other governmental purposes. Moneys in the state 911 fund  
3 shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-  
4 3726a, and amendments thereto.

5 (e) On January 1, 2026:

6 (1) The LCPA shall remit to the state treasurer the balance of all  
7 moneys in the 911 state fund established pursuant to K.S.A. 12-5368, and  
8 amendments thereto. Upon receipt of such remittance, the state treasurer  
9 shall deposit the entire amount in the state treasury and credit such amount  
10 to the state 911 fund.

11 (2) All liabilities of the 911 state fund are hereby transferred to and  
12 imposed on the state 911 fund.

13 (3) The 911 state fund established by the LCPA pursuant to K.S.A.  
14 12-5368, and amendments thereto, is hereby abolished.

15 (f) The provisions of this section shall take effect and be in force on  
16 and after January 1, 2026.

17 New Sec. 8. (a) On July 1, 2025, and on the first day of each calendar  
18 month thereafter through January 1, 2026, the state 911 board shall require  
19 the LCPA to provide a report that accounts for every transaction that has  
20 occurred during the previous month in the 911 state fund, 911 state grant  
21 fund and the 911 operations fund established outside the state treasury  
22 pursuant to K.S.A. 12-5368, and amendments thereto. Such report shall  
23 include line item amounts and details for every transaction, including  
24 debits, credits, transfers, fees assessed, interest earned, change in  
25 ownership, change in authorized signatories or any other event that may  
26 have altered the structure or balance of the account. The LCPA shall  
27 submit each monthly report to the secretary of administration and to the  
28 director of legislative research. On or before January 12, 2026, the state  
29 911 board shall prepare and submit to the legislature a report that  
30 summarizes the transactions that impacted the account between July 1,  
31 2025, and January 1, 2026, and shall confirm that the accounts have been  
32 closed and all assets have been transferred to the state treasury in  
33 accordance with the requirements of sections 5 through 7, and  
34 amendments thereto.

35 (b) The provisions of this section shall take effect and be in force on  
36 and after July 1, 2025.

37 New Sec. 9. (a) On and after July 1, 2024, the 911 coordinating  
38 council may take any actions necessary to prepare for a seamless and  
39 orderly transition of the powers, duties and functions of the 911  
40 coordinating council to the state 911 board established pursuant to section  
41 1, and amendments thereto. Such actions may include, but shall not be  
42 limited to:

43 (1) Employing one or more individuals who the council deems

1 necessary to assist with the transition, including the employment of an  
 2 individual who shall assume the role of executive director of the state 911  
 3 board upon the establishment of the board pursuant to this act; and

4 (2) preparing a budget that reflects the establishment of the state 911  
 5 board and the state 911 operations fund within the state treasury pursuant  
 6 to this act.

7 (b) Any persons employed pursuant to this section shall be in the  
 8 unclassified service and receive compensation fixed by the council.

9 (c) Any expenses incurred for the employment of individuals  
 10 pursuant to this section shall be considered administrative expenses of the  
 11 council pursuant to K.S.A. 12-5368, and amendments thereto, and the  
 12 council shall have authority to use any moneys held in or transferred to the  
 13 911 operations fund to provide for the employment and compensation  
 14 authorized pursuant to this section.

15 Sec. 10. On and after July 1, 2025, K.S.A. 12-5362 is hereby  
 16 amended to read as follows: 12-5362. K.S.A. 12-5362 through 12-5381,  
 17 and amendments thereto, *and sections 1 through 9, and amendments*  
 18 *thereto*, shall be known and may be cited as the Kansas 911 act.

19 Sec. 11. On and after July 1, 2025, K.S.A. 12-5363 is hereby  
 20 amended to read as follows: 12-5363. As used in the Kansas 911 act:

21 (a) *"Board" means the state 911 board.*

22 (b) "Consumer" means a person who purchases prepaid wireless  
 23 service in a retail transaction.

24 ~~(b)~~(c) "Department" means the Kansas department of revenue.

25 ~~(e)~~(d) "Enhanced 911 service" or "E-911 service" means an  
 26 emergency telephone service that generally may provide, but is not limited to,  
 27 selective routing, automatic number identification and automatic  
 28 location identification features.

29 ~~(d)~~(e) "Exchange telecommunications service" means the service that  
 30 provides local telecommunications exchange access to a service user.

31 ~~(e)~~(f) "GIS" means a geographic information system for capturing,  
 32 storing, displaying, analyzing and managing data and associated attributes  
 33 that are spatially referenced.

34 ~~(f)~~(g) "GIS data" means the geometry and associated attributes  
 35 packaged in a geodatabase that defines the roads, address points and  
 36 boundaries within a PSAP's jurisdiction.

37 ~~(g)~~(h) "Governing body" means the board of county commissioners  
 38 of a county or the governing body of a city.

39 ~~(h)~~(i) "Local collection point administrator" or "LCPA" means the  
 40 person designated by the ~~911 coordinating council board~~ to serve as the  
 41 local collection point administrator to collect ~~and distribute~~ 911 fees, ~~911~~  
 42 ~~operations fund moneys~~ and *distribute* 911 state grant fund moneys.

43 ~~(i)~~(j) "Multi-line telephone system" means a system comprised of

1 common control units, telephones and control hardware and software  
 2 providing local telephone service to multiple end-use customers that may  
 3 include VoIP service and network and premises based systems such as  
 4 centrex, private branch exchange and hybrid key telephone systems.

5 ~~(j)~~(k) "Next generation 911" means 911 service that conforms with  
 6 national emergency number association (NENA) i3 standards and enables  
 7 PSAPs to receive Enhanced 911 service calls and emergency calls from  
 8 Internet Protocol (IP) based technologies and applications that may include  
 9 text messaging, image, video and data information from callers.

10 ~~(k)~~(l) "Non-traditional PSAP" means a PSAP not operated by a city  
 11 or county, including, but not limited to, PSAPs operated by universities,  
 12 tribal governments or the state *or* federal government.

13 ~~(l)~~(m) "Person" means any individual, firm, partnership,  
 14 copartnership, joint venture, association, cooperative organization,  
 15 corporation, municipal or private, and whether organized for profit or not,  
 16 state, county, political subdivision, state department, commission, board,  
 17 bureau or fraternal organization, nonprofit organization, estate, trust,  
 18 business or common law trust, receiver, assignee for the benefit of  
 19 creditors, trustee or trustee in bankruptcy or any other legal entity.

20 ~~(m)~~(n) "Prepaid wireless service" means a wireless  
 21 telecommunications service that allows a caller to dial 911 to access the  
 22 911 system, ~~which service must be~~ *that is* paid for in advance and ~~is~~ sold  
 23 in predetermined units or dollars of which the number declines with use in  
 24 a known amount.

25 ~~(n)~~(o) "Place of primary use" has the meaning provided in the mobile  
 26 telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect  
 27 ~~on the effective date of this act~~ *July 1, 2025*.

28 ~~(o)~~(p) "Provider" means any person providing exchange  
 29 telecommunications service, wireless telecommunications service, VoIP  
 30 service or other service capable of contacting a PSAP. ~~A provider may also~~  
 31 ~~be~~ "Provider" *includes* a 911 system operator.

32 ~~(p)~~(q) "PSAP" means a public safety answering point operated by a  
 33 city or county.

34 ~~(q)~~(r) "Retail transaction" means the purchase of prepaid wireless  
 35 service from a seller for any purpose other than resale, not including the  
 36 use, storage or consumption of such services.

37 ~~(r)~~(s) "Seller" means a person who sells prepaid wireless service to  
 38 another person.

39 ~~(s)~~(t) "Service user" means any person who is provided exchange  
 40 telecommunications service, wireless telecommunications service, VoIP  
 41 service, prepaid wireless service or any other service capable of contacting  
 42 a PSAP.

43 ~~(t)~~(u) "Subscriber account" means the 10-digit access number

1 assigned to a service user by a provider for the purpose of billing a service  
2 user up to the maximum capacity of the simultaneous outbound calling  
3 capability of a multi-line telephone system or equivalent service.

4 ~~(t)~~(v) "Subscriber radio equipment" means mobile and portable radio  
5 equipment installed in vehicles or carried by persons for voice  
6 communication with a radio system.

7 ~~(v)~~(w) "VoIP service" means voice over internet protocol.

8 ~~(w)~~(x) "Wireless telecommunications service" means commercial  
9 mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on ~~the~~  
10 ~~effective date of this act~~ *July 1, 2025*.

11 ~~(x)~~(y) "911 call" means any electronic request for emergency  
12 response, presented by means of wireline, wireless, VoIP or  
13 telecommunications device for the deaf (TDD) technology, text message or  
14 any other technology by which a service user initiates an immediate  
15 information interchange or conversation with a PSAP.

16 ~~(y)~~(z) "911 system operator" means any entity that accepts 911 calls  
17 from providers, processes those calls and presents those calls to the  
18 appropriate PSAP. ~~A "911 system operator" may also be a provider.~~

19 Sec. 12. K.S.A. 12-5364 is hereby amended to read as follows: 12-  
20 5364. (a) (1) There is hereby created the 911 coordinating council which  
21 shall monitor the delivery of 911 services, develop strategies for future  
22 enhancements to the 911 system and distribute available grant funds to  
23 PSAPs *and counties that contract with other counties for the provision of*  
24 *911 PSAP services*. In as much as possible, the council shall include  
25 individuals with technical expertise regarding 911 systems, internet  
26 technology and GIS technology.

27 (2) (A) The 911 coordinating council shall consist of 13 voting  
28 members to be appointed by the governor:

29 (i) Two members representing information technology personnel  
30 from government units;

31 (ii) one member representing the Kansas sheriff's association;

32 (iii) one member representing the Kansas association of chiefs of  
33 police;

34 (iv) one member representing a fire chief;

35 (v) one member recommended by the adjutant general;

36 (vi) one member recommended by the Kansas emergency medical  
37 services board;

38 (vii) one member recommended by the Kansas commission for the  
39 deaf and hard of hearing;

40 (viii) two members representing PSAPs located in counties with less  
41 than 75,000 in population;

42 (ix) two members representing PSAPs located in counties with  
43 greater than 75,000 in population; and

1 (x) one member representing the Kansas chapter of the association of  
 2 public safety communications officials.

3 (B) At least two of the members representing PSAPs shall be  
 4 administrators of a PSAP or have extensive prior 911 experience in  
 5 Kansas.

6 (3) Other voting members of the 911 coordinating council shall  
 7 include:

8 (A) One member of the Kansas house of representatives as appointed  
 9 by the speaker of the house;

10 (B) one member of the Kansas house of representatives as appointed  
 11 by the minority leader of the house;

12 (C) one member of the Kansas senate as appointed by the senate  
 13 president; and

14 (D) one member of the Kansas senate as appointed by the senate  
 15 minority leader.

16 (4) The 911 coordinating council shall also include nonvoting  
 17 members to be appointed by the governor:

18 (A) One member representing rural telecommunications companies  
 19 recommended by the Kansas rural independent telephone companies;

20 (B) one member representing incumbent local exchange carriers with  
 21 over 50,000 access lines;

22 (C) one member representing large wireless providers;

23 (D) one member representing VoIP providers;

24 (E) one member recommended by the league of Kansas  
 25 municipalities;

26 (F) one member recommended by the Kansas association of counties;

27 (G) one member recommended by the Kansas geographic  
 28 information systems policy board;

29 (H) one member recommended by the Kansas office of information  
 30 technology services;

31 (I) one member, a Kansas resident, recommended by the Mid-  
 32 America regional council; and

33 (J) two members representing non-traditional PSAPs, one of whom  
 34 shall be a representative of tribal government.

35 ~~(b) (1) Except as provided in subsection (b)(2) and (b)(3), the terms~~  
 36 ~~of office for Voting members of the 911 coordinating council shall~~  
 37 ~~commence on the effective date of this act and shall be subject to~~  
 38 ~~reappointment every~~ *serve for a term of three years.* No voting member  
 39 shall serve longer than two successive three-year terms. A voting member  
 40 appointed as a replacement for another voting member may finish the term  
 41 of the predecessor and may serve two additional successive three-year  
 42 terms.

43 ~~(2) The following members, whose terms began on the effective date~~

1 of this act, shall serve initial terms as follows:

2 (A) ~~One member representing information technology personnel from~~  
3 ~~government units, one member recommended by the adjutant general, one~~  
4 ~~member representing PSAPs located in counties with less than 75,000 in~~  
5 ~~population and one member representing PSAPs located in counties with~~  
6 ~~75,000 or more in population shall serve a term of two years;~~

7 (B) ~~one member representing information technology personnel from~~  
8 ~~government units, one member recommended by the Kansas emergency~~  
9 ~~medical services board, one member representing PSAPs located in~~  
10 ~~counties with less than 75,000 in population and one member representing~~  
11 ~~PSAPs without regard to size shall serve a term of three years; and~~

12 (C) ~~one member representing a fire chief, one member recommended~~  
13 ~~by the Kansas commission for the deaf and hard of hearing, one member~~  
14 ~~representing the Kansas association of chiefs of police and one member~~  
15 ~~representing PSAPs located in counties with 75,000 or more in population~~  
16 ~~shall serve a term of four years.~~

17 (3) ~~The initial term for one member representing the Kansas sheriff's~~  
18 ~~association shall begin on July 1, 2014, and be for a period of three years.~~

19 (4) The terms of members specified in this subsection shall expire on  
20 June 30 in the last year of such member's term.

21 (c) (1) The governor shall select the chair of the 911 coordinating  
22 council, who shall serve at the pleasure of the governor and have extensive  
23 prior 911 experience in Kansas.

24 (2) The chair shall serve as the coordinator of E-911 services and next  
25 generation 911 services in the state, implement statewide 911 planning,  
26 have the authority to sign all certifications required under 47 C.F.R. part  
27 400 and administer the 911 federal grant fund and 911 state maintenance  
28 fund. The chair shall serve subject to the direction of the council and  
29 ensure that policies adopted by the council are carried out. The chair shall  
30 serve as the liaison between the council and the LCPA. The chair shall  
31 preside over all meetings of the council and assist the council in  
32 effectuating the provisions of this act.

33 (d) The 911 coordinating council, by an affirmative vote of nine  
34 voting members, shall select the local collection point administrator,  
35 pursuant to K.S.A. 12-5367, and amendments thereto, to collect 911 fees  
36 and to distribute such fees to PSAPs *and counties that contract with other*  
37 *counties for the provision of 911 PSAP services* and to distribute 911  
38 operations fund moneys and 911 state grant fund moneys as directed by  
39 the council. The council shall adopt rules and regulations for the terms of  
40 the contract with the LCPA. All contract terms and conditions shall satisfy  
41 all contract requirements as established by the secretary of administration.  
42 The council shall determine the compensation of the LCPA who shall  
43 provide the council with any staffing necessary in carrying out the

1 business of the council or effectuating the provisions of this act. The  
2 moneys used to reimburse these expenses shall be paid from the 911  
3 operations fund, pursuant to subsection (j).

4 (e) (1) The 911 coordinating council is hereby authorized to adopt  
5 rules and regulations necessary to effectuate the provisions of this act,  
6 including, but not limited to: (A) Creating a uniform reporting form  
7 designating how moneys, including 911 fees, have been spent by the  
8 PSAPs *and counties that contract with other counties for the provision of*  
9 *911 PSAP services*; (B) requiring service providers to notify the council  
10 pursuant to subsection (k); (C) establishing standards for coordinating and  
11 purchasing equipment; (D) recommending standards for general operations  
12 training of PSAP personnel; (E) establishing training standards and  
13 programs related to the technology and operations of the NG911 hosted  
14 solution; (F) establishing data standards, maintenance policies and data  
15 reporting requirements for GIS data; and (G) assessing civil penalties  
16 pursuant to subsection (m).

17 (2) The chair of the council shall work with the council to adopt rules  
18 and regulations necessary for the administration of this act, but the council  
19 shall not adopt any rules and regulations or impose any requirements that  
20 creates a mandatory certification program of PSAP operations or PSAP  
21 emergency communications personnel.

22 (f) If the 911 coordinating council finds that the GIS data for a PSAP  
23 *or county that contracts with another county for the provision of 911 PSAP*  
24 *services* is inaccurate or has not been updated for one year or more, the  
25 council shall give written notice to the governing body that oversees the  
26 PSAP *or county*. If, within 60 days of providing such notice, the council  
27 does not receive an acceptable proposal for the PSAP *or county* to bring  
28 the GIS data into compliance, the council may contract with a third party  
29 to review and update the GIS data. A PSAP *or county* with GIS data that  
30 has not been updated for one year or more may provide a certification  
31 attesting that the GIS data has been reviewed and remains accurate. If the  
32 council receives such certification and has information that the data may  
33 not be accurate, the council shall provide a written notice to the PSAP *or*  
34 *county* that describes the areas the council believes to be inaccurate and a  
35 deadline of 30 days for the PSAP *or county* to submit updated GIS data. If  
36 the updated GIS data is not received within the deadline, the council may  
37 contract with a third party to review and update the GIS data. The council  
38 shall assess the governing body that oversees the PSAP *or county* for any  
39 costs incurred in updating the GIS data.

40 (g) The council may, pursuant to rules and regulations, lower the 911  
41 fee established pursuant to K.S.A. 12-5369, and amendments thereto, upon  
42 a finding based on information submitted on the uniform reporting forms,  
43 that moneys generated by such fee are in excess of the costs required to

1 operate PSAPs in the state.

2 (h) The council may appoint subcommittees as necessary to  
3 administer grants, oversee collection and distribution of moneys by the  
4 LCPA, develop technology standards, develop training recommendations  
5 and other issues as deemed necessary by the council. Subcommittees, if  
6 appointed, shall include members of the council and other persons as  
7 needed.

8 (i) The council may reimburse independent contractors or state  
9 agencies for expenses incurred in carrying out the business of the council,  
10 including salaries, that are directly attributable to effectuating the  
11 provisions of this act. The moneys used to reimburse these expenses shall  
12 be paid from the 911 operations fund, pursuant to subsection (j).

13 (j) All expenses related to the council shall be paid from the 911  
14 operations fund. No more than 2.0% of the total receipts from providers  
15 and the department received by the LCPA shall be used to pay for  
16 administrative expenses of the council. Members of the council and other  
17 persons appointed to subcommittees by the council may receive  
18 reimbursement for meals and travel expenses, but shall serve without other  
19 compensation with the exception of legislative members who shall receive  
20 compensation pursuant to K.S.A. 75-3212, and amendments thereto.

21 (k) Every provider shall submit contact information for the provider  
22 to the council. Any provider that has not previously provided wireless  
23 telecommunications service in this state shall submit contact information  
24 for the provider to the council within three months of first offering  
25 wireless telecommunications services in this state.

26 (l) (1) Each PSAP *and county that contracts with another county for*  
27 *the provision of 911 PSAP services* shall file an annual report with the  
28 council by March 1 of each year demonstrating how such PSAP *or county*  
29 has spent the moneys earned from the 911 fee during the preceding  
30 calendar year. The council shall designate the content and form of such  
31 report and any associated documentation that is required to finalize such  
32 report.

33 (2) If a PSAP *or county that contracts with another county for the*  
34 *provision of 911 PSAP services* fails to file and finalize an annual report,  
35 the council shall provide notice of such failure to the PSAP *or county* and  
36 the governing body of such PSAP *or county*. If such PSAP *or county* fails  
37 to file or finalize an annual report within 60 days of receiving such notice,  
38 10% of each subsequent distribution of 911 fees to such PSAP *or county*  
39 pursuant to K.S.A. 12-5373, and amendments thereto, shall be withheld by  
40 the LCPA and only distributed to such PSAP *or county* once the report has  
41 been submitted.

42 (m) The council, upon a finding that a provider has violated any  
43 provision of this act, may impose a civil penalty. No civil penalty shall be



1 imposed pursuant to this section except upon the written order of the  
 2 council. Such order shall state the violation, the penalty to be imposed and  
 3 the right of such person to appeal to a hearing before the council. Any such  
 4 person may, within 15 days after service of the order, make a written  
 5 request to the council for a hearing thereon. Hearings under this subsection  
 6 shall be conducted in accordance with the provisions of the Kansas  
 7 administrative procedure act.

8 (n) Any action of the council pursuant to subsection (m) is subject to  
 9 review in accordance with the Kansas judicial review act.

10 (o) Any civil penalty recovered pursuant to this section shall be  
 11 transferred to the LCPA for deposit in the 911 state grant fund.

12 (p) The 911 coordinating council shall make an annual report, to  
 13 include a detailed description of all expenditures made from 911 fees  
 14 received by the PSAPs *and counties that contract with other counties for*  
 15 *the provision of 911 PSAP services*, to the house committee on energy,  
 16 utilities and telecommunications and the senate committee on utilities.

17 Sec. 13. On and after July 1, 2025, K.S.A. 12-5365 is hereby  
 18 amended to read as follows: 12-5365. (a) There is hereby established in the  
 19 state treasury the 911 federal grant fund. *All moneys received by the state*  
 20 *from the federal government for the purposes provided in this section shall*  
 21 *be remitted to the state treasurer in accordance with the provisions of*  
 22 *K.S.A. 75-4215, and amendments thereto. Upon receipt of each such*  
 23 *remittance, the state treasurer shall deposit the entire amount in the state*  
 24 *treasury to the credit of the 911 federal grant fund.*

25 ~~(b) The chair of the 911 coordinating council shall serve as the~~  
 26 ~~administrator of the 911 federal grant fund and shall distribute grants in~~  
 27 ~~accordance with the recommendations of the 911 coordinating council.~~  
 28 Subject to the conditions and in accordance with the requirements of this  
 29 act and 47 C.F.R. part 400, *as in effect on July 1, 2025*, the ~~chair~~  
 30 *chairperson of the board* is authorized to perform such acts necessary for  
 31 the effectuation of this act.

32 ~~(c) Moneys received by the state from the federal government for the~~  
 33 ~~purposes of the fund shall be credited to the fund.~~

34 ~~(d)(1)~~ Subject to the conditions and in accordance with the  
 35 requirements of ~~this act~~ *the Kansas 911 act* and 47 C.F.R. part 400, *as in*  
 36 *effect on July 1, 2025*, moneys credited to the fund shall be used only:

37 ~~(1)(A)~~ To pay all expenses incurred in the administration of the fund;  
 38 and

39 ~~(2)(B)~~ to provide grants to eligible municipalities only for necessary  
 40 and reasonable costs incurred or to be incurred by PSAPs for:

41 ~~(A)(i)~~ Implementation of enhanced 911 service and next generation  
 42 911 service, ~~as defined in K.S.A. 12-5363, and amendments thereto;~~

43 ~~(B)(ii)~~ purchase of equipment and upgrades and modification to

1 equipment used solely to process the data elements of enhanced 911  
 2 service and next generation 911 service, as defined in K.S.A. 12-5363, and  
 3 amendments thereto; and

4 ~~(C)~~(iii) maintenance and license fees for such equipment and training  
 5 of personnel to operate such equipment, including costs of training PSAP  
 6 personnel to provide effective service to all users of the emergency  
 7 telephone system who have communications disabilities.

8 (2) Such costs shall not include expenditures to lease, construct,  
 9 expand, acquire, remodel, renovate, repair, furnish or make improvements  
 10 to buildings or similar facilities or for other capital outlay or equipment  
 11 not expressly authorized by this act.

12 ~~(e)~~(d) All payments and disbursements from the fund shall be made  
 13 in accordance with appropriation acts upon warrants of the director of  
 14 accounts and reports issued pursuant to vouchers approved by the chair or  
 15 by a person or persons designated by the chair *chairperson of the board or*  
 16 *the chairperson's designee.*

17 Sec. 14. On and after July 1, 2025, K.S.A. 12-5366 is hereby  
 18 amended to read as follows: 12-5366. (a) There is hereby established in the  
 19 state treasury the 911 state maintenance fund. *All moneys received*  
 20 *pursuant to this section shall be remitted to the state treasurer in*  
 21 *accordance with the provisions of K.S.A. 75-4215, and amendments*  
 22 *thereto. Upon receipt of each such remittance, the state treasurer shall*  
 23 *deposit the entire amount in the state treasury to the credit of the 911 state*  
 24 *maintenance fund.*

25 ~~(b) The chair of the 911 coordinating council shall serve as the~~  
 26 ~~administrator of the 911 state maintenance fund and shall distribute grants~~  
 27 ~~in accordance with the recommendations of the 911 coordinating council.~~  
 28 ~~Subject to the conditions and in accordance with the requirements of this~~  
 29 ~~act and 47 C.F.R. part 400, the chair is authorized to perform such acts~~  
 30 ~~necessary for the effectuation of this act.~~

31 ~~(e)~~—Moneys from the following sources shall be credited to the fund:

32 (1) Amounts appropriated or otherwise made available by the  
 33 legislature for the purposes of the fund;

34 (2) interest attributable to investment of moneys in the fund; and

35 (3) amounts received from any public or private entity for the  
 36 purposes of the fund.

37 ~~(d)~~(c) (1) Moneys credited to the fund shall be used only:

38 ~~(+)~~(A) To pay all expenses incurred in the administration of the fund;  
 39 and

40 ~~(2)~~(B) *development, deployment, implementation and maintenance of*  
 41 *the statewide next generation 911 system; and*

42 (C) to provide grants to eligible municipalities only for necessary and  
 43 reasonable costs incurred or to be incurred by PSAPs for:

1       (A)(i) Implementation of enhanced 911 service and next generation  
2 911 service, ~~as defined in K.S.A. 12-5363, and amendments thereto;~~

3       (B)(ii) purchase of equipment and upgrades and modification to  
4 equipment used solely to process the data elements of enhanced 911  
5 service and next generation 911 service, ~~as defined in K.S.A. 12-5363, and~~  
6 ~~amendments thereto;~~ and

7       (C)(iii) maintenance and license fees for such equipment and training  
8 of personnel to operate such equipment, including costs of training PSAP  
9 personnel to provide effective service to all users of the emergency  
10 telephone system who have communications disabilities.

11       (2) Such costs shall not include expenditures to lease, construct,  
12 expand, acquire, remodel, renovate, repair, furnish or make improvements  
13 to buildings or similar facilities or for other capital outlay or equipment  
14 not expressly authorized by this act.

15       (e) On or before the 10<sup>th</sup> of each month, the director of accounts and  
16 reports shall transfer from the state general fund to the 911 state  
17 maintenance fund interest earnings based on:

18       (1) The average daily balance of moneys in the 911 state maintenance  
19 fund for the preceding month; and

20       (2) the net earnings rate of the pooled money investment portfolio for  
21 the preceding month.

22       (f) All payments and disbursements from the fund shall be made in  
23 accordance with appropriation acts upon warrants of the director of  
24 accounts and reports issued pursuant to vouchers approved by ~~the chair or~~  
25 ~~by a person or persons designated by the chair~~ *chairperson of the board or*  
26 *the chairperson's designee.*

27       Sec. 15. On and after July 1, 2025, K.S.A. 12-5367 is hereby  
28 amended to read as follows: 12-5367. ~~(a) The 911 coordinating council~~  
29 ~~state 911 board~~, by an affirmative vote of nine voting members, shall  
30 select the local collection point administrator. In selecting the LCPA, the  
31 ~~council board~~ shall contract with the LCPA for services for no longer than  
32 two years, however, the ~~council board~~ may, by an affirmative vote of nine  
33 voting members, extend such contract for up to two additional years. The  
34 ~~911 coordinating council board~~ shall receive the approval of the legislative  
35 coordinating council in selecting an LCPA if the entity to be designated as  
36 the LCPA is different than the previous entity designated as the LCPA. The  
37 ~~911 coordinating council board~~ shall annually review the designation of  
38 the LCPA and the contract with the LCPA ~~for services.~~

39       (b) *Any contract made between the 911 coordinating council and an*  
40 *LCPA that is in existence on January 1, 2025, shall continue to be valid,*  
41 *effective and enforceable until extended, revised, revoked or terminated by*  
42 *the board.*

43       (c) The LCPA shall be subject to the requirements of the Kansas open

1 meetings act *and, except as provided in K.S.A. 12-5374, and amendments*  
2 *thereto*, the Kansas open records act ~~and~~. *The LCPA shall treat all moneys*  
3 *received by the LCPA as public funds pursuant to article 14 of chapter 9 of*  
4 *the Kansas Statutes Annotated, and amendments thereto. Notwithstanding*  
5 *any other provision of law to the contrary, the LCPA shall not be*  
6 *considered a state agency.*

7 Sec. 16. K.S.A. 12-5368 is hereby amended to read as follows: 12-  
8 5368. (a) Upon the approval of the 911 coordinating council, the LCPA  
9 shall establish the following funds, which shall not be a part of the state  
10 treasury: (1) The 911 state fund for the collection and distribution of 911  
11 fees; (2) the 911 operations fund for administrative costs of the 911  
12 coordinating council and deployment and maintenance of the statewide  
13 NG911 system; and (3) the 911 state grant fund for grants to individual  
14 PSAPs. All moneys originating from 911 fees, and any interest accrued on  
15 such fees, shall be paid to the LCPA for deposit in the 911 state fund or  
16 911 operations fund pursuant to subsection (b). All unobligated federal  
17 moneys, and any interest accrued on such moneys, shall be transferred to  
18 the 911 federal grant fund.

19 (b) (1) Except as provided for in paragraph (2), prior to the  
20 distribution ~~to the PSAPs~~ *of moneys* pursuant to K.S.A. 12-5374, and  
21 amendments thereto, the LCPA shall withhold \$.23 from every 911 fee  
22 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall  
23 deposit such amount in the 911 operations fund for the deployment and  
24 maintenance of the statewide NG911 system and standardized  
25 functionality upgrades to that system.

26 (2) If the ~~funds~~ *moneys* withheld from distribution pursuant to  
27 paragraph (1) exceed 15% of the total receipts received by the LCPA from  
28 providers and the department over the prior three years, such ~~funds~~  
29 *moneys* in excess of that 15% total shall be deposited in the 911 state grant  
30 fund and used for PSAP grants based on demonstrated need pursuant to  
31 subsection (d).

32 (3) If the balance in the 911 state grant fund is less than \$2,000,000,  
33 prior to the distribution ~~to the PSAPs~~ pursuant to K.S.A. 12-5374, and  
34 amendments thereto, the LCPA shall withhold \$.01 from every 911 fee  
35 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall  
36 deposit such amount in the 911 state grant fund. If the balance in the 911  
37 state grant fund exceeds \$2,000,000, the LCPA shall not withhold such  
38 amount.

39 (c) The council shall be responsible for ensuring that the 911  
40 operations fund and the 911 state grant fund and any interest earned on  
41 money credited to the fund is only expended for the following purposes:  
42 (1) Projects involving the development and implementation of next  
43 generation 911 services; (2) costs associated with PSAP consolidation or

1 cost-sharing projects; (3) expenses related to the 911 coordinating council;  
2 (4) costs of audits conducted pursuant to K.S.A. 12-5377, and amendments  
3 thereto; and (5) other costs pursuant to K.S.A. 12-5375, and amendments  
4 thereto.

5 (d) The council shall develop criteria ~~for PSAPs~~ for eligible  
6 purchases and for grant applicants and make the final determination as to  
7 the distribution of grant funds. Such criteria shall promote the procurement  
8 of equipment that meets open architecture and national technical  
9 standards. ~~Distribution of Grant funds moneys shall not include~~  
10 ~~expenditures~~ *be used* to procure, maintain or upgrade subscriber radio  
11 equipment.

12 (e) The LCPA shall be authorized to maintain an action to collect any  
13 ~~funds moneys~~ owed by any ~~providers~~ *provider* in the district court in the  
14 county of the registered office of such provider or, if such provider does  
15 not have a registered office in the state, such an action may be maintained  
16 in the county where such provider's principal office is located. If such  
17 provider has no principal office in the state, such an action may be  
18 maintained in the district court of any county ~~in which~~ *where* such  
19 provider provides service.

20 Sec. 17. On and after July 1, 2025, K.S.A. 12-5368, as amended by  
21 section 16 of this act, is hereby amended to read as follows: 12-5368. (a)  
22 Upon the approval of the ~~911 coordinating council~~ *state 911 board*, the  
23 LCPA shall establish the following funds, which shall not be a part of the  
24 state treasury: (1) The 911 state fund for the collection and distribution of  
25 911 fees; (2) the 911 operations fund for administrative costs of the ~~911~~  
26 ~~coordinating council~~ *state 911 board* and deployment and maintenance of  
27 the statewide NG911 system; and (3) the 911 state grant fund for grants to  
28 individual PSAPs. All moneys originating from 911 fees, and any interest  
29 accrued on such fees, shall be paid to the LCPA for deposit in the 911 state  
30 fund or 911 operations fund pursuant to subsection (b). All unobligated  
31 federal moneys, and any interest accrued on such moneys, shall be  
32 transferred to the 911 federal grant fund.

33 (b) (1) Except as provided for in paragraph (2), prior to the  
34 distribution of moneys pursuant to K.S.A. 12-5374, and amendments  
35 thereto, the LCPA shall withhold \$.23 from every 911 fee remitted  
36 pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit  
37 such amount in the 911 operations fund for the deployment and  
38 maintenance of the statewide NG911 system and standardized  
39 functionality upgrades to that system.

40 (2) If the moneys withheld from distribution pursuant to paragraph  
41 (1) exceed 15% of the total receipts received by the LCPA from providers  
42 and the department over the prior three years, such moneys in excess of  
43 that 15% total shall be deposited in the 911 state grant fund and used for

1 PSAP grants based on demonstrated need pursuant to subsection (d).

2 (3) If the balance in the 911 state grant fund is less than \$2,000,000,  
3 prior to the distribution pursuant to K.S.A. 12-5374, and amendments  
4 thereto, the LCPA shall withhold \$.01 from every 911 fee remitted  
5 pursuant to K.S.A. 12-5369, and amendments thereto, and shall deposit  
6 such amount in the 911 state grant fund. If the balance in the 911 state  
7 grant fund exceeds \$2,000,000, the LCPA shall not withhold such amount.

8 (c) ~~The council~~ *state 911 board* shall be responsible for ensuring that  
9 the 911 operations fund and the 911 state grant fund and any interest  
10 earned on money credited to the fund is only expended for the following  
11 purposes: (1) Projects involving the development and implementation of  
12 next generation 911 services; (2) costs associated with PSAP consolidation  
13 or cost-sharing projects; (3) expenses related to the 911 coordinating  
14 council; ~~(4) costs of audits conducted pursuant to K.S.A. 12-5377, and~~  
15 ~~amendments thereto; and~~ ~~(5)~~ (4) other costs pursuant to K.S.A. 12-5375,  
16 and amendments thereto.

17 (d) ~~The council~~ *state 911 board* shall develop criteria for eligible  
18 purchases and for grant applicants and make the final determination as to  
19 the distribution of grant funds. Such criteria shall promote the procurement  
20 of equipment that meets open architecture and national technical  
21 standards. Grant moneys shall not be used to procure, maintain or upgrade  
22 subscriber radio equipment.

23 (e) *The state 911 board or the LCPA* shall be authorized to maintain  
24 an action to collect any moneys owed by any provider in the district court  
25 in the county of the registered office of such provider or, if such provider  
26 does not have a registered office in the state, such an action may be  
27 maintained in the county where such provider's principal office is located.  
28 If such provider has no principal office in the state, such an action may be  
29 maintained in the district court of any county where such provider  
30 provides service.

31 Sec. 18. On and after January 1, 2026, K.S.A. 12-5368, as amended  
32 by section 17 of this act, is hereby amended to read as follows: 12-5368.

33 (a) ~~Upon the approval of the state 911 board, the LCPA shall establish the~~  
34 ~~following funds, which shall not be a part of the state treasury: (1) The 911~~  
35 ~~state fund for the collection and distribution of 911 fees; (2) the 911~~  
36 ~~operations fund for administrative costs of the state 911 board and~~  
37 ~~deployment and maintenance of the statewide NG911 system; and (3) the~~  
38 ~~911 state grant fund for grants to individual PSAPs. All moneys~~  
39 ~~originating from 911 fees, and any interest accrued on such fees, shall be~~  
40 ~~paid to the LCPA for deposit in the 911 state fund or 911 operations fund~~  
41 ~~pursuant to subsection (b). All unobligated federal moneys, and any~~  
42 ~~interest accrued on such moneys, shall be transferred to the 911 federal~~  
43 ~~grant fund.~~

1       (b) (1) Except as provided for in paragraph (2), prior to the  
2 distribution of moneys pursuant to K.S.A. 12-5374, and amendments  
3 thereto, the LCPA shall withhold \$.23 from every 911 fee remitted  
4 pursuant to K.S.A. 12-5369, and amendments thereto, and shall ~~deposit~~  
5 ~~such amount in the 911 operations fund for the deployment and~~  
6 ~~maintenance of the statewide NG911 system and standardized~~  
7 ~~functionality upgrades to that system~~ remit such moneys to the state  
8 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
9 amendments thereto. Upon receipt of each such remittance, the state  
10 treasurer shall deposit the entire amount in the state treasury and credit  
11 such amount to the state 911 operations fund established pursuant to  
12 section 5, and amendments thereto.

13       (2) If the moneys withheld from distribution pursuant to paragraph  
14 (1) exceed 15% of the total receipts received by the LCPA from providers  
15 and the department over the prior three years, such moneys in excess of  
16 that 15% total shall be ~~deposited in the 911 state grant fund and used for~~  
17 ~~PSAP grants based on demonstrated need pursuant to subsection (d)~~  
18 ~~remitted to the state treasurer in accordance with the provisions of K.S.A.~~  
19 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~  
20 ~~the state treasurer shall deposit the entire amount in the state treasury and~~  
21 ~~credit such amount to the state 911 grant fund established pursuant to~~  
22 ~~section 6, and amendments thereto.~~

23       (3) If the balance in the state 911 ~~state~~ grant fund is less than  
24 \$2,000,000, prior to the distribution pursuant to K.S.A. 12-5374, and  
25 amendments thereto, the LCPA shall withhold \$.01 from every 911 fee  
26 remitted pursuant to K.S.A. 12-5369, and amendments thereto, and shall  
27 ~~deposit such amount in the 911 state grant fund. If the balance in the 911~~  
28 ~~state grant fund exceeds \$2,000,000, the LCPA shall not withhold such~~  
29 ~~amount~~ remit such moneys to the state treasurer in accordance with the  
30 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
31 each such remittance, the state treasurer shall deposit the entire amount in  
32 the state treasury and credit such amount to the state 911 grant fund  
33 established pursuant to section 6, and amendments thereto.

34       (e)(b) The state 911 board shall be responsible for ensuring that the  
35 911 operations fund and the 911 state grant fund and any interest earned on  
36 money credited to the fund is only expended for the following purposes:  
37 (1) Projects involving the development and implementation of next  
38 generation 911 services; (2) costs associated with PSAP consolidation or  
39 cost-sharing projects; (3) expenses related to the 911 coordinating council;  
40 and (4) other costs pursuant to K.S.A. 12-5375, and amendments thereto  
41 moneys collected from 911 fees and prepaid wireless 911 fees are only  
42 expended for purposes authorized pursuant to the Kansas 911 act.

43       (d)(c) The state 911 board shall develop criteria for eligible purchases

1 and for grant applicants and make the final determination as to the  
2 distribution of grant funds. Such criteria shall promote the procurement of  
3 equipment that meets open architecture and national technical standards.  
4 Grant moneys shall not be used to procure, maintain or upgrade subscriber  
5 radio equipment.

6 ~~(e)~~(d) The state 911 board or the LCPA shall be authorized to  
7 maintain an action to collect any moneys owed by any provider in the  
8 district court in the county of the registered office of such provider or, if  
9 such provider does not have a registered office in the state, such an action  
10 may be maintained in the county where such provider's principal office is  
11 located. If such provider has no principal office in the state, such an action  
12 may be maintained in the district court of any county where such provider  
13 provides service.

14 Sec. 19. On and after July 1, 2025, K.S.A. 12-5369 is hereby  
15 amended to read as follows: 12-5369. ~~Subject to the provisions of K.S.A.~~  
16 ~~12-5364(g), and amendments thereto~~(a) *Except as provided in subsection*  
17 *(b)*, there is hereby imposed a 911 fee in the amount of \$.90 per month per  
18 subscriber account of any exchange telecommunications service, wireless  
19 telecommunications service, VoIP service, or other service capable of  
20 contacting a PSAP. Such fee shall not be imposed on prepaid wireless  
21 service. It shall be the duty of each exchange telecommunications service  
22 provider, wireless telecommunications service provider, VoIP service  
23 provider or other service provider to remit such fees to the LCPA as  
24 provided in K.S.A. 12-5370, and amendments thereto.

25 *(b) The state 911 board may, pursuant to rules and regulations, lower*  
26 *the 911 fee established pursuant to subsection (a) upon a finding that the*  
27 *moneys generated by such 911 fee exceed the costs required to operate*  
28 *PSAPs in the state.*

29 Sec. 20. On and after July 1, 2025, K.S.A. 12-5370 is hereby  
30 amended to read as follows: 12-5370. (a) Every billed service user shall be  
31 liable for the 911 fee until such fees have been paid to the exchange  
32 telecommunications service provider, wireless telecommunications service  
33 provider, VoIP service provider or other service provider.

34 (b) All providers shall have the duty to collect the ~~fees~~ *911 fee*  
35 *imposed pursuant to this act K.S.A. 12-5369, and amendments thereto.*  
36 *Such fees 911 fee shall be added to and may be stated separately in billings*  
37 *for the subscriber account. If stated separately in billings, the fees shall be*  
38 *labeled "911 fees."*

39 (c) The provider shall have no obligation to take any legal action to  
40 enforce the collection of the ~~fees imposed by this act~~ *911 fee*. The provider  
41 shall provide annually to the LCPA a list of the amount of uncollected 911  
42 fees along with the names and addresses of those service users ~~which that~~  
43 carry a balance that can be determined by the provider to be nonpayment



1 of such fees.

2 (d) ~~The fees imposed by this act~~ 911 fee shall be collected insofar as  
3 practicable at the same time as, and along with, the charges for local  
4 exchange, wireless, VoIP, or other service in accordance with regular  
5 billing practice of the provider.

6 (e) ~~The 911 fees and the amounts required to be collected therefor are~~  
7 ~~due monthly.~~ *Each provider shall remit* the amount of ~~such all~~ 911 fees  
8 collected in ~~one each calendar month by the provider shall be remitted~~ to  
9 the LCPA not more than 15 days after the close of ~~the such~~ calendar  
10 month. ~~On or before the 15<sup>th</sup> day of each calendar month following,~~ *Upon*  
11 *each such remittance, the provider shall file* a return for the preceding  
12 month ~~shall be filed~~ with the LCPA. Such return shall be *provided* in such  
13 form and ~~shall contain such information~~ *manner* as required by the LCPA  
14 board. The provider required to file the return shall deliver the return  
15 together with a remittance of the amount of fees payable to the LCPA. The  
16 provider shall maintain records of the amount of any such fees collected in  
17 accordance with this act for a period of three years from the time the fees  
18 are collected.

19 (f) The provisions of this section shall not be construed to apply to  
20 *the prepaid wireless service 911 fee.*

21 Sec. 21. On and after July 1, 2025, K.S.A. 12-5371 is hereby  
22 amended to read as follows: 12-5371. (a) There is hereby imposed a  
23 prepaid wireless 911 fee of 2.06% per retail transaction or, on and after the  
24 effective date of an adjusted amount per retail transaction that is  
25 established under subsection (f), such adjusted amount.

26 (b) The prepaid wireless 911 fee shall be collected by the seller from  
27 the consumer with respect to each retail transaction occurring in this state.  
28 The amount of the prepaid wireless 911 fee shall be either separately stated  
29 on an invoice, receipt or other similar document that is provided to the  
30 consumer by the seller, or otherwise disclosed to the consumer.

31 (c) For purposes of subsection (b), a retail transaction that is effected  
32 in person by a consumer in a business location of the seller shall be treated  
33 as occurring in this state if that business location is in this state, and any  
34 other retail transaction shall be treated as occurring in this state if the retail  
35 transaction is treated as occurring in this state for the purposes of K.S.A.  
36 79-3673(c)(3), and amendments thereto.

37 (d) The prepaid wireless 911 fee is the liability of the consumer and  
38 not of the seller nor of any provider, except that the seller shall be liable to  
39 remit all prepaid wireless 911 fees that the seller collects from consumers  
40 pursuant to this section, ~~and amendments thereto,~~ including all such fees  
41 that the seller is deemed to collect ~~where~~ *when* the amount of the charge  
42 has not been separately stated in an invoice, receipt or other similar  
43 document provided to the consumer by the seller.

1 (e) The amount of the prepaid wireless 911 fee that is collected by a  
2 seller from a consumer, if such amount is separately stated on an invoice,  
3 receipt or other similar document provided to the consumer by the seller,  
4 shall not be included in the base for measuring any tax, fee, surcharge or  
5 other charge that is imposed by this state, any political subdivision of this  
6 state or any intergovernmental agency.

7 (f) The prepaid wireless 911 fee shall be proportionately reduced  
8 upon any reduction to the fee imposed by K.S.A. 12-5369(a), and  
9 amendments thereto, pursuant to the ~~911 coordinating council's board's~~  
10 authority to reduce the 911 fee under K.S.A. ~~12-5364(g)~~ 12-5369(b), and  
11 amendments thereto. The adjusted amount shall be the product of dividing  
12 the numeric amount of the new 911 fee adjusted pursuant to K.S.A. ~~12-~~  
13 ~~5364(g)~~ 12-5369(b), and amendments thereto, by 50. Such reduction shall  
14 be effective on the effective date of the reduction of the 911 fee imposed  
15 by K.S.A. 12-5369(a), and amendments thereto, or, if later, the first day of  
16 the calendar quarter to occur at least 60 days after the enactment of the  
17 reduction of the 911 fee imposed by K.S.A. 12-5369(a), and amendments  
18 thereto. The department shall provide not less than 60 days' notice of such  
19 decrease on the department's website.

20 (g) When prepaid wireless service is sold with one or more other  
21 products or services for a single, non-itemized price, then the percentage  
22 specified in subsection (a) shall apply to the entire non-itemized price  
23 unless the seller elects to apply such percentage to: (1) If the amount of the  
24 prepaid wireless service is disclosed to the consumer as a dollar amount,  
25 such dollar amount; or (2) if the seller can identify the portion of the price  
26 that is attributable to the prepaid wireless service by reasonable and  
27 verifiable standards from its books and records that are kept in the regular  
28 course of business for other purposes, including, but not limited to, non-  
29 tax purposes, such portion.

30 Sec. 22. On and after January 1, 2026, K.S.A. 12-5372 is hereby  
31 amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees  
32 collected by sellers shall be remitted to the department by electronic filing  
33 that is consistent with the provisions of article 36 of chapter 79 of the  
34 Kansas Statutes Annotated, and amendments thereto. The department shall  
35 establish registration and payment procedures for the collection of the  
36 prepaid wireless 911 fee.

37 (b) To minimize additional costs to the department, the department  
38 may conduct audits of sellers in conjunction with sales and use tax audits.  
39 The department is authorized to provide the *board and* LCPA with  
40 information obtained in such audits if such information indicates that a  
41 seller may not be complying with the provisions of this section and K.S.A.  
42 12-5371, and amendments thereto. The *board or* LCPA may request the  
43 department to initiate collection or audit procedures on individual sellers if

1 collection efforts by the *board* or LCPA are unsuccessful.

2 (c) The department shall establish procedures by which a seller may  
3 document that a sale is not a retail sale, which procedures shall  
4 substantially coincide with procedures for documenting sale for resale  
5 transactions for article 36 of chapter 79 of the Kansas Statutes Annotated,  
6 and amendments thereto.

7 ~~(d) (1) The department shall transfer all remitted prepaid wireless 911~~  
8 ~~fees to the LCPA within 30 days of receipt for distribution as provided in~~  
9 ~~K.S.A. 12-5374, and amendments thereto~~ *Except as provided in*  
10 *paragraph (2), the department shall remit all moneys collected from the*  
11 *prepaid wireless 911 fees to the state treasurer in accordance with K.S.A.*  
12 *75-4215, and amendments thereto. Upon receipt of each such remittance,*  
13 *the state treasurer shall deposit the entire amount in the state treasury and*  
14 *credit such amount to the state 911 operations fund established pursuant*  
15 *to section 5, and amendments thereto.*

16 *(2) If the department remits \$3,000,000 to the state treasurer*  
17 *pursuant to paragraph (1) in any given year, then all remaining moneys*  
18 *collected from the prepaid wireless 911 fee shall be remitted to the state*  
19 *treasurer in accordance with K.S.A. 75-4215, and amendments thereto.*  
20 *Upon receipt of each such remittance, the state treasurer shall deposit the*  
21 *entire amount in the state treasury and credit such amount to the state 911*  
22 *fund established pursuant to section 7, and amendments thereto. Such*  
23 *moneys shall be distributed to the counties in an amount proportional to*  
24 *each county's population as a percentage share of the population of the*  
25 *state. For each PSAP within a county, such moneys shall be distributed to*  
26 *each PSAP in an amount proportional to the PSAP's population as a*  
27 *percentage share of the population of the county. If there is no PSAP*  
28 *within a county, then such moneys shall be distributed to the PSAP*  
29 *providing service to such county. Moneys distributed pursuant to this*  
30 *paragraph shall only be used for the uses authorized in K.S.A. 12-5375,*  
31 *and amendments thereto.*

32 Sec. 23. K.S.A. 12-5374 is hereby amended to read as follows: 12-  
33 5374. (a) (1) Except for the amounts withheld by the LCPA pursuant to  
34 K.S.A. 12-5368(b), and amendments thereto, and any amounts withheld  
35 pursuant to K.S.A. 12-5364(1), and amendments thereto, not later than 30  
36 days after the receipt of ~~moneys 911 fees~~ from providers pursuant to  
37 K.S.A. 12-5370 ~~and 12-5371~~, and amendments thereto, and *prepaid*  
38 *wireless 911 fees* from the department pursuant to K.S.A. 12-5372, and  
39 amendments thereto, the LCPA shall distribute such moneys to the PSAPs  
40 *or to counties that contract with other counties for the provision of 911*  
41 *PSAP services pursuant to this section.* The amount of money distributed  
42 to the PSAPs in each county, *or to any county that contracts with another*  
43 *county for the provision of 911 PSAP services,* shall be based upon the

1 amount of 911 fees collected from service users located in that county,  
2 based on place of primary use information provided by the providers, by  
3 using the following distribution method:

4 Population of county 5 <del>where PSAP is located</del>	6 Percentage of collected 7 911 fees to distribute
8 Over 80,000.....	82%
9 65,000 to 79,999.....	85%
10 55,000 to 64,999.....	88%
11 45,000 to 54,999.....	91%
12 35,000 to 44,999.....	94%
13 25,000 to 34,999.....	97%
14 Less than 25,000.....	100%

15 (2) There shall be a minimum county distribution of ~~\$60,000~~ *\$70,000*  
16 and no county shall receive less than ~~\$60,000~~ *\$70,000* of direct  
17 distribution moneys. If there is more than one PSAP in a county then the  
18 direct distribution allocated to that county by population shall be deducted  
19 from the minimum county distribution and the difference shall be  
20 proportionately divided between the PSAPs in the county. All moneys  
21 remaining after distribution, moneys withheld pursuant to K.S.A. 12-  
22 5368(b)(1), and amendments thereto, and any moneys that cannot be  
23 attributed to a specific PSAP *or county* shall be transferred to the 911  
24 operations fund.

25 (b) All fees remitted to the LCPA shall be deposited in the 911 state  
26 fund and for the purposes of this act be treated as if they are public funds,  
27 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and  
28 amendments thereto.

29 (c) All moneys in the 911 state fund that have been collected from the  
30 prepaid wireless 911 fee shall be deposited in the 911 operations fund  
31 unless \$3 million of such moneys have been deposited in any given year  
32 then all remaining moneys shall be distributed to the counties in an amount  
33 proportional to each county's population as a percentage share of the  
34 population of the state. ~~For each PSAP within~~ *If there is more than one*  
35 *PSAP in a county, such moneys shall be distributed to each PSAP in an*  
36 *amount proportional to the PSAP's population as a percentage share of the*  
37 *population of the county. If there is no PSAP within a county, then such*  
38 *moneys shall be distributed to the PSAP providing service to such county.*  
39 ~~Such~~ *Moneys distributed to counties and PSAPs pursuant to this section*  
40 *only shall be used for the uses authorized in K.S.A. 12-5375, and*  
41 *amendments thereto.*

42 (d) The LCPA shall keep accurate accounts of all receipts and  
43 disbursements of moneys from the 911 fees.

44 (e) ~~Information~~ *Records* provided by ~~providers~~ *any provider* to the  
45 ~~local collection point administrator~~ *LCPA* or to the 911 coordinating  
46 council pursuant to this act ~~will~~ *shall* be treated as proprietary records ~~that~~  
47 ~~will~~ *and shall* be withheld from the public upon request of the ~~party~~

1 provider submitting such records.

2 Sec. 24. On and after July 1, 2025, K.S.A. 12-5374, as amended by  
3 section 23 of this act, is hereby amended to read as follows: 12-5374. (a)  
4 (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-  
5 5368(b), and amendments thereto, and any amounts withheld pursuant to  
6 ~~K.S.A. 12-5364(1)~~ section 4, and amendments thereto, not later than 30  
7 days after the receipt of 911 fees from providers pursuant to K.S.A. 12-  
8 5370, and amendments thereto, and prepaid wireless 911 fees from the  
9 department pursuant to K.S.A. 12-5372, and amendments thereto, the  
10 LCPA shall distribute such moneys to the PSAPs or to counties that  
11 contract with other counties for the provision of 911 PSAP services  
12 pursuant to this section. The amount of money distributed to the PSAPs in  
13 each county, or to any county that contracts with another county for the  
14 provision of 911 PSAP services, shall be based upon the amount of 911  
15 fees collected from service users located in that county, based on place of  
16 primary use information provided by the providers, by using the following  
17 distribution method:

18 Population of county	19 Percentage of collected 911 fees to distribute
20 Over 80,000.....	82%
21 65,000 to 79,999.....	85%
22 55,000 to 64,999.....	88%
23 45,000 to 54,999.....	91%
24 35,000 to 44,999.....	94%
25 25,000 to 34,999.....	97%
26 Less than 25,000.....	100%

27 (2) There shall be a minimum county distribution of \$70,000 and no  
28 county shall receive less than \$70,000 of direct distribution moneys. If  
29 there is more than one PSAP in a county then the direct distribution  
30 allocated to that county by population shall be deducted from the  
31 minimum county distribution and the difference shall be proportionately  
32 divided between the PSAPs in the county. All moneys remaining after  
33 distribution, moneys withheld pursuant to K.S.A. 12-5368(b)(1), and  
34 amendments thereto, and any moneys that cannot be attributed to a  
35 specific PSAP or county shall be transferred to the 911 operations fund.

36 (b) All fees remitted to the LCPA shall be deposited in the 911 state  
37 fund and for the purposes of this act be treated as if they are public funds,  
38 pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and  
39 amendments thereto.

40 (c) All moneys in the 911 state fund that have been collected from the  
41 prepaid wireless 911 fee shall be deposited in the 911 operations fund  
42 unless \$3 million of such moneys have been deposited in any given year  
43 then all remaining moneys shall be distributed to the counties in an amount  
44 proportional to each county's population as a percentage share of the  
45 population of the state. If there is more than one PSAP in a county, such

1 moneys shall be distributed to each PSAP in an amount proportional to the  
2 PSAP's population as a percentage share of the population of the county. If  
3 there is no PSAP within a county, then such moneys shall be distributed to  
4 the county. Moneys distributed to counties and PSAPs pursuant to this  
5 section only shall be used for the uses authorized in K.S.A. 12-5375, and  
6 amendments thereto.

7 (d) The LCPA shall keep accurate accounts of all receipts and  
8 disbursements of moneys from the 911 fees.

9 (e) Records provided by any provider to the LCPA or to the ~~911-~~  
10 ~~coordinating council~~ *state 911 board* pursuant to this act shall be treated as  
11 proprietary records and shall be withheld from the public upon request of  
12 the provider submitting such records.

13 Sec. 25. On and after January 1, 2026, K.S.A. 12-5374, as amended  
14 by section 24 of this act, is hereby amended to read as follows: 12-5374.

15 (a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A.  
16 ~~12-5368(b)~~ 12-5368, and amendments thereto, and any amounts withheld  
17 pursuant to section 4, and amendments thereto, not later than 30 days after  
18 the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and  
19 amendments thereto, and prepaid wireless 911 fees from the department  
20 pursuant to K.S.A. 12-5372, and amendments thereto, the ~~LCPA~~ *state 911*  
21 *board* shall distribute such moneys to the PSAPs or to counties that  
22 contract with other counties for the provision of 911 PSAP services  
23 pursuant to this section. The amount of money distributed to the PSAPs in  
24 each county, or to any county that contracts with another county for the  
25 provision of 911 PSAP services, shall be based upon the amount of 911  
26 fees collected from service users located in that county, based on place of  
27 primary use information provided by the providers, by using the following  
28 distribution method:

29 Population of county	Percentage of collected 911 fees to distribute
30	
31 Over 80,000.....	82%
32 65,000 to 79,999.....	85%
33 55,000 to 64,999.....	88%
34 45,000 to 54,999.....	91%
35 35,000 to 44,999.....	94%
36 25,000 to 34,999.....	97%
37 Less than 25,000.....	100%

38 (2) There shall be a minimum county distribution of \$70,000 and no  
39 county shall receive less than \$70,000 of direct distribution moneys. If  
40 there is more than one PSAP in a county then the direct distribution  
41 allocated to that county by population shall be deducted from the  
42 minimum county distribution and the difference shall be proportionately  
43 divided between the PSAPs in the county. ~~All moneys remaining after~~  
44 ~~distribution, moneys withheld pursuant to K.S.A. 12-5368(b)(1), and~~  
45 ~~amendments thereto, and any moneys that cannot be attributed to a~~

1 specific PSAP or county shall be transferred to the 911 operations fund.

2 (b) ~~All fees remitted to the LCPA shall be deposited in the 911 state~~  
 3 ~~fund and for the purposes of this act be treated as if they are public funds,~~  
 4 ~~pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and~~  
 5 ~~amendments thereto.~~

6 (e) ~~All moneys in the 911 state fund that have been collected from the~~  
 7 ~~prepaid wireless 911 fee shall be deposited in the 911 operations fund~~  
 8 ~~unless \$3 million of such moneys have been deposited in any given year~~  
 9 ~~then all remaining moneys shall be distributed to the counties in an amount~~  
 10 ~~proportional to each county's population as a percentage share of the~~  
 11 ~~population of the state. If there is more than one PSAP in a county, such~~  
 12 ~~moneys shall be distributed to each PSAP in an amount proportional to the~~  
 13 ~~PSAP's population as a percentage share of the population of the county. If~~  
 14 ~~there is no PSAP within a county, then such moneys shall be distributed to~~  
 15 ~~the county. Moneys distributed to counties and PSAPs pursuant to this~~  
 16 ~~section only shall be used for the uses authorized in K.S.A. 12-5375, and~~  
 17 ~~amendments thereto.~~

18 (d) ~~The state 911 board and the LCPA shall keep accurate accounts of~~  
 19 ~~all receipts and disbursements of moneys from the 911 fees.~~

20 (e)(c) ~~Records provided by any provider to the LCPA or to the state~~  
 21 ~~911 board pursuant to this act shall be treated as proprietary records and~~  
 22 ~~shall be withheld from the public upon request of the provider submitting~~  
 23 ~~such records.~~

24 Sec. 26. K.S.A. 12-5375 is hereby amended to read as follows: 12-  
 25 5375. (a) (1) ~~The proceeds of the 911 fees imposed pursuant to this act~~  
 26 ~~moneys distributed to counties and PSAPs pursuant to K.S.A. 12-5374,~~  
 27 ~~and amendments thereto, and any interest earned on revenue derived from~~  
 28 ~~such fee moneys, shall be used only for necessary and reasonable costs~~  
 29 ~~incurred or to be incurred by counties and PSAPs for:~~

- 30 (1)(A) ~~Implementation of 911 services;~~
- 31 (2)(B) ~~purchase of 911 equipment and upgrades;~~
- 32 (3)(C) ~~maintenance and license fees for 911 equipment;~~
- 33 (4)(D) ~~training of personnel, not to include salaries;~~
- 34 (5)(E) ~~monthly recurring charges billed by service suppliers;~~
- 35 (6)(F) ~~installation, service establishment and nonrecurring start-up~~  
 36 ~~charges billed by the service supplier;~~
- 37 (7)(G) ~~charges for capital improvements and equipment or other~~  
 38 ~~physical enhancements to the 911 system; or~~
- 39 (8)(H) ~~the original acquisition and installation of road signs designed~~  
 40 ~~to aid in the delivery of emergency service.~~

41 (2) ~~Such costs shall not include expenditures to lease, construct,~~  
 42 ~~expand, acquire, remodel, renovate, repair, furnish or make improvements~~  
 43 ~~to buildings or similar facilities. Such costs shall also not include~~

1 expenditures to purchase, procure, maintain or upgrade subscriber radio  
2 equipment.

3 (3) *A county may contract with another county for the provision of*  
4 *911 PSAP services provided that the moneys distributed to such county*  
5 *pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used*  
6 *as authorized by this section.*

7 (b) The 911 coordinating council shall, pursuant to rules and  
8 regulations, establish a process for a PSAP *or county that contracts with*  
9 *another county for the provision of 911 PSAP services,* ~~at the discretion of~~  
10 ~~the PSAP,~~ to seek pre-approval of an expenditure. The council shall  
11 respond in writing to any pre-approval request within 30 days and inform  
12 the PSAP ~~if stating whether~~ the requested expenditure is approved or  
13 disapproved. If the expenditure is disapproved, the written notification  
14 shall state the reason for the disapproval and such PSAP *or county* may,  
15 within 15 days after service of the notification, make a written request to  
16 the council to appeal the council's decision and for a hearing to be  
17 conducted in accordance with the provisions of the Kansas administrative  
18 procedure act.

19 (c) The 911 coordinating council shall annually review expenditures  
20 of 911 ~~funds~~ *moneys* reported on the annual report for each PSAP *or*  
21 *county that contracts with another county for the provision of 911 PSAP*  
22 *services* and shall appoint a committee to review such expenditures. If the  
23 committee determines that a reported expenditure was not authorized by  
24 this act, the committee shall request that the expenditure be refunded by  
25 the PSAP *or county* to the PSAP's *or county's* 911 account. If a PSAP *or*  
26 *county* does not concur with the finding of the committee, the PSAP *or*  
27 *county* may request a review of the decision of the committee before the  
28 911 coordinating council. If the 911 coordinating council, based upon  
29 information obtained from an audit ~~of the PSAPs,~~ determines that any  
30 PSAP *or county* has used any 911 fees for any purpose other than those  
31 authorized in this act, the governing body for such PSAP *or county* shall  
32 repay all such moneys used for any unauthorized purposes to the 911 fee  
33 fund of such PSAP *or county*. Upon a finding that the expenditure was  
34 made intentionally ~~from the 911 fee fund of such PSAP~~ for a purpose  
35 clearly established as an unauthorized expenditure, the 911 coordinating  
36 council may require such PSAP *or county* to pay the lesser of \$500 or  
37 10%, of such misused moneys, to the LCPA for deposit in the 911 state  
38 grant fund. No such repayment of 911 fees shall be imposed pursuant to  
39 this section except upon the written order of the council. Such order shall  
40 state the unauthorized purposes for which the funds were used, the amount  
41 of funds to be ~~repayed~~ *repaid* and the right of such PSAP *or county* to  
42 appeal to a hearing before the Kansas office of administrative hearings.  
43 Any such PSAP *or county* may, within 15 days after service of the order,



1 make a written request to the council for a hearing thereon. Hearings under  
2 this subsection shall be conducted in accordance with the provisions of the  
3 Kansas administrative procedure act.

4 (d) Any final action of the council pursuant to subsection (b) or (c) is  
5 subject to review in accordance with the Kansas judicial review act.

6 Sec. 27. On and after July 1, 2025, K.S.A. 12-5375, as amended by  
7 section 26 of this act, is hereby amended to read as follows: 12-5375. (a)

8 (1) The moneys distributed to counties and PSAPs pursuant to K.S.A. 12-  
9 5374, and amendments thereto, and any interest earned on revenue derived  
10 from such moneys, shall be used only for necessary and reasonable costs  
11 incurred or to be incurred by counties and PSAPs for:

12 (A) Implementation of 911 services;

13 (B) purchase of 911 equipment and upgrades;

14 (C) maintenance and license fees for 911 equipment;

15 (D) training of personnel, not to include salaries;

16 (E) monthly recurring charges billed by service suppliers;

17 (F) installation, service establishment and nonrecurring start-up  
18 charges billed by the service supplier;

19 (G) charges for capital improvements and equipment or other  
20 physical enhancements to the 911 system; or

21 (H) the original acquisition and installation of road signs designed to  
22 aid in the delivery of emergency service.

23 (2) Such costs shall not include expenditures to lease, construct,  
24 expand, acquire, remodel, renovate, repair, furnish or make improvements  
25 to buildings or similar facilities. Such costs shall also not include  
26 expenditures to purchase, procure, maintain or upgrade subscriber radio  
27 equipment.

28 (3) A county may contract with another county for the provision of  
29 911 PSAP services provided that the moneys distributed to such county  
30 pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used  
31 for the uses authorized pursuant to this section.

32 (b) ~~The 911 coordinating council~~ *state 911 board* shall, pursuant to  
33 rules and regulations, establish a process for a PSAP or county that  
34 contracts with another county for the provision of 911 PSAP services, to  
35 seek pre-approval of an expenditure. ~~The council~~ *state 911 board* shall  
36 respond in writing to any pre-approval request within 30 days and inform  
37 the PSAP stating whether the requested expenditure is approved or  
38 disapproved. If the expenditure is disapproved, the written notification  
39 shall state the reason for the disapproval and such PSAP or county may,  
40 within 15 days after service of the notification, make a written request to  
41 ~~the council~~ *state 911 board* to appeal ~~the council's board's~~ decision and for  
42 a hearing to be conducted in accordance with the provisions of the Kansas  
43 administrative procedure act.

1 (c) The ~~911 coordinating council~~ *state 911 board* shall annually  
2 review expenditures of 911 moneys reported on the annual report for each  
3 PSAP or county that contracts with another county for the provision of 911  
4 PSAP services and shall appoint a committee to review such expenditures.  
5 If the committee determines that a reported expenditure was not authorized  
6 by this act, the committee shall request that the expenditure be refunded by  
7 the PSAP or county to the PSAP's or county's 911 account. If a PSAP or  
8 county does not concur with the finding of the committee, the PSAP or  
9 county may request a review of the decision of the committee before the  
10 ~~911 coordinating council~~ *state 911 board*. If the ~~911 coordinating council~~  
11 *state 911 board*, based upon information obtained from an audit,  
12 determines that any PSAP or county has used any 911 fees for any purpose  
13 other than those authorized in this act, the governing body for such PSAP  
14 or county shall repay all such moneys used for any unauthorized purposes  
15 to the 911 fee fund of such PSAP or county. Upon a finding that the  
16 expenditure was made intentionally for a purpose clearly established as an  
17 unauthorized expenditure, the ~~911 coordinating council~~ *state 911 board*  
18 may require such PSAP or county to pay the lesser of \$500 or 10%, of  
19 such misused moneys, to the LCPA for deposit in the 911 state grant fund.  
20 No such repayment of 911 fees shall be imposed pursuant to this section  
21 except upon the written order of the ~~council~~ *state 911 board*. Such order  
22 shall state the unauthorized purposes for which the funds were used, the  
23 amount of funds to be repaid and the right of such PSAP or county to  
24 appeal to a hearing before the Kansas office of administrative hearings.  
25 Any such PSAP or county may, within 15 days after service of the order,  
26 make a written request to the ~~council~~ *state 911 board* for a hearing thereon.  
27 Hearings under this subsection shall be conducted in accordance with the  
28 provisions of the Kansas administrative procedure act.

29 (d) Any final action of the ~~council~~ *state 911 board* pursuant to  
30 subsection (b) or (c) is subject to review in accordance with the Kansas  
31 judicial review act.

32 Sec. 28. On and after January 1, 2026, K.S.A. 12-5375, as amended  
33 by section 27 of this act, is hereby amended to read as follows: 12-5375.

34 (a) (1) The moneys distributed to counties and PSAPs pursuant to K.S.A.  
35 12-5374, and amendments thereto, and any interest earned on revenue  
36 derived from such moneys, shall be used only for necessary and  
37 reasonable costs incurred or to be incurred by counties and PSAPs for:

- 38 (A) Implementation of 911 services;
- 39 (B) purchase of 911 equipment and upgrades;
- 40 (C) maintenance and license fees for 911 equipment;
- 41 (D) training of personnel, not to include salaries;
- 42 (E) monthly recurring charges billed by service suppliers;
- 43 (F) installation, service establishment and nonrecurring start-up

1 charges billed by the service supplier;

2 (G) charges for capital improvements and equipment or other  
3 physical enhancements to the 911 system; or

4 (H) the original acquisition and installation of road signs designed to  
5 aid in the delivery of emergency service.

6 (2) Such costs shall not include expenditures to lease, construct,  
7 expand, acquire, remodel, renovate, repair, furnish or make improvements  
8 to buildings or similar facilities. Such costs shall also not include  
9 expenditures to purchase, procure, maintain or upgrade subscriber radio  
10 equipment.

11 (3) A county may contract with another county for the provision of  
12 911 PSAP services provided that the moneys distributed to such county  
13 pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used  
14 for the uses authorized pursuant to this section.

15 (b) The state 911 board shall, pursuant to rules and regulations,  
16 establish a process for a PSAP or county that contracts with another county  
17 for the provision of 911 PSAP services, to seek pre-approval of an  
18 expenditure. The state 911 board shall respond in writing to any pre-  
19 approval request within 30 days and inform the PSAP stating whether the  
20 requested expenditure is approved or disapproved. If the expenditure is  
21 disapproved, the written notification shall state the reason for the  
22 disapproval and such PSAP or county may, within 15 days after service of  
23 the notification, make a written request to the state 911 board to appeal the  
24 board's decision and for a hearing to be conducted in accordance with the  
25 provisions of the Kansas administrative procedure act.

26 (c) The state 911 board shall annually review expenditures of 911  
27 moneys reported on the annual report for each PSAP or county that  
28 contracts with another county for the provision of 911 PSAP services and  
29 shall appoint a committee to review such expenditures. If the committee  
30 determines that a reported expenditure was not authorized by this act, the  
31 committee shall request that the expenditure be refunded by the PSAP or  
32 county to the PSAP's or county's 911 account. If a PSAP or county does  
33 not concur with the finding of the committee, the PSAP or county may  
34 request a review of the decision of the committee before the state 911  
35 board. If the state 911 board, based upon information obtained from an  
36 audit, determines that any PSAP or county has used any 911 fees for any  
37 purpose other than those authorized in this act, the governing body for  
38 such PSAP or county shall repay all such moneys used for any  
39 unauthorized purposes to the 911 fee fund of such PSAP or county. Upon a  
40 finding that the expenditure was made intentionally for a purpose clearly  
41 established as an unauthorized expenditure, the state 911 board may  
42 require such PSAP or county to pay the lesser of \$500 or 10%, of such  
43 misused moneys, to the LCPA ~~for deposit in the 911 state grant fund.~~

1 Upon receipt of any moneys paid pursuant to this subsection, the LCPA  
2 shall remit such moneys to the state treasurer in accordance with K.S.A.  
3 75-4215, and amendments thereto. Upon receipt of each such remittance,  
4 the state treasurer shall deposit the entire amount in the state treasury and  
5 credit such amount to the state 911 grant fund established pursuant to  
6 section 6, and amendments thereto. No such repayment of 911 fees shall  
7 be imposed pursuant to this section except upon the written order of the  
8 state 911 board. Such order shall state the unauthorized purposes for which  
9 the funds were used, the amount of funds to be repaid and the right of such  
10 PSAP or county to appeal to a hearing before the Kansas office of  
11 administrative hearings. Any such PSAP or county may, within 15 days  
12 after service of the order, make a written request to the state 911 board for  
13 a hearing thereon. Hearings under this subsection shall be conducted in  
14 accordance with the provisions of the Kansas administrative procedure act.

15 (d) Any final action of the state 911 board pursuant to subsection (b)  
16 or (c) is subject to review in accordance with the Kansas judicial review  
17 act.

18 Sec. 29. On and after July 1, 2025, K.S.A. 12-5377 is hereby  
19 amended to read as follows: 12-5377. (a) The receipts and disbursements  
20 of the LCPA shall be audited yearly by a licensed municipal accountant or  
21 certified public accountant.

22 (b) ~~The LCPA state 911 board~~ may require an audit of any provider's  
23 books and records concerning the collection and remittance of fees  
24 pursuant to this act. ~~The cost of any such audit shall be paid from the 911~~  
25 ~~operations fund.~~

26 (c) ~~(1) On or before December 31, 2018, and at least once every five~~  
27 ~~years thereafter, the division of post audit shall conduct an audit of the 911~~  
28 ~~system to determine: (A) Whether the moneys received by PSAPs pursuant~~  
29 ~~to this act are being used appropriately; (B) whether the amount of moneys~~  
30 ~~collected pursuant to this act is adequate; and (C) the status of 911 service~~  
31 ~~implementation. The auditor to conduct such audit shall be specified in~~  
32 ~~accordance with K.S.A. 46-1122, and amendments thereto.~~

33 ~~(2) The post auditor shall compute the reasonably anticipated cost of~~  
34 ~~providing audits pursuant to this subsection, subject to review and~~  
35 ~~approval by the contract audit committee established by K.S.A. 46-1120,~~  
36 ~~and amendments thereto. Upon such approval, the division of post audit~~  
37 ~~shall be reimbursed from the 911 operations fund for the amount approved~~  
38 ~~by the contract audit committee. The audit report shall be submitted to the~~  
39 ~~911 coordinating council, the LCPA, the house of representatives~~  
40 ~~committee on energy, utilities and telecommunications and the senate~~  
41 ~~committee on utilities.~~

42 ~~(d) (1) On or before December 31, 2018, the division of post audit~~  
43 ~~shall conduct an audit of the budget and expenditures of the 911~~

1 coordinating council. In conducting such audit, the division shall examine:  
2 (A) The annual expenses and financial needs, including personnel, of the  
3 council; (B) the total annual operating expenses of the council that are  
4 included in the 2.5% cap on expenditures pursuant to K.S.A. 12-5364(i),  
5 and amendments thereto; (C) the current and projected contractual  
6 expenses of the council; (D) the expenditures and distribution of moneys  
7 from the 911 state grant fund by the council; and (E) whether the moneys  
8 expended by the council are being used pursuant to this act. The auditor, to  
9 conduct such audit, shall be specified in accordance with K.S.A. 46-1122,  
10 and amendments thereto.

11 (2) The post auditor shall compute the reasonably anticipated cost of  
12 providing the audit pursuant to this subsection, subject to review and  
13 approval by the contract audit committee established by K.S.A. 46-1120,  
14 and amendments thereto. Upon such approval, the division of post audit  
15 shall be reimbursed from the 911 operations fund for the amount approved  
16 by the contract audit committee. The audit report shall be submitted to the  
17 911 coordinating council, the house of representatives committee on  
18 energy, utilities and telecommunications and the senate committee on  
19 utilities.

20 (e) The legislature shall review this act at the regular 2019 legislative  
21 session and at the regular legislative session every five years thereafter.

22 Sec. 30. K.S.A. 12-5364, 12-5368, 12-5374 and 12-5375 are hereby  
23 repealed.

24 Sec. 31. On and after July 1, 2025, K.S.A. 12-5362, 12-5363, 12-  
25 5364, as amended by section 12 of this act, 12-5365, 12-5366, 12-5367,  
26 12-5368, as amended by section 16 of this act, 12-5369, 12-5370, 12-5371,  
27 12-5374, as amended by section 23 of this act, 12-5375, as amended by  
28 section 26 of this act, 12-5377, 12-5378 and 12-5379 are hereby repealed.

29 Sec. 32. On and after January 1, 2026, K.S.A. 12-5368, as amended  
30 by section 17 of this act, 12-5372, 12-5374, as amended by section 24 of  
31 this act, and 12-5375, as amended by section 27 of this act, are hereby  
32 repealed.

33 Sec. 33. This act shall take effect and be in force from and after its  
34 publication in the statute book.