

**75-7212. Abolition of KIRC and CIA; transfers.** (a) The Kansas information resources council established by K.S.A. 75-4740 and the office of the chief information architect established by K.S.A. 75-4742 are hereby abolished.

(b) The unexpended budgeted balance of any appropriation for the Kansas information resources council as a result of any abolishment by this section shall be and is hereby transferred to the information technology executive council created by this act. The unexpended budgeted balance of any appropriation for the position of chief information architect as a result of any abolishment by this section shall be and is hereby transferred to the legislative coordinating council — operations account.

(c) Whenever the Kansas information resources council is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the information technology executive council created by this act. Whenever the position of chief information architect or the office of the chief information architect is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the position of chief information technology architect or the office of the chief information technology architect created by this act or to the position of executive chief information technology officer, as determined appropriate in accordance with the provisions of this act.

(d) The information technology executive council created by this act shall succeed to all property and records that were used for, or pertain to, the performance of the powers, duties and functions of the Kansas information resources council abolished by this act. The office of the chief information technology architect created by this act shall succeed to all property and records that were used for, or pertain to, the performance of the powers, duties and functions of the office of the chief information architect abolished by this act. Any conflict as to the proper disposition of such property or records arising under this section and resulting from the transfer or abolishment of any existing state agency, or the powers, duties and functions thereof, shall be determined by the governor, whose decision shall be final.

(e) Any conflict as to the disposition of any power, function or duty as a result of any abolishment, transfer, attachment or other change made by this act, or under authority of this act, shall be resolved by the governor, and the decision of the governor shall be final.

(f) No suit, action, or other proceeding, judicial or administrative, lawfully commenced, or that could have been commenced, by or against the Kansas information resources council, or by or against the office of the chief information architect or the chief information architect in the chief information architect's official capacity or in relation to the discharge of official duties, shall abate by reason of the provisions of this act. The court may allow any such suit, action or other proceeding to be maintained by or against the information technology executive council, the office of the chief information technology architect or the chief information technology architect.

(g) No criminal action commenced or that could have been commenced by the state shall abate by the taking effect of this act.

**History:** L. 1998, ch. 182, § 12; May 21.