

# Journal of the House

FIFTY-SECOND DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, April 1, 2022, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 116 members present.

Reps. Estes, Finney, Helmer, Poetter Parshall, Schmidt, Victors-Cozad and Winn were excused on verified illness.

Rep. Coleman was excused on excused absence by the Speaker.

Excused later: Reps. Borjon, Concannon, Huebert, S. Johnson, Moser and Samsel.

Prayer by Chaplain Brubaker:

Lord God,  
thank You for Your faithfulness and mercy  
in being with us each and every day.  
Your Word tells us that  
“*You* bestow favor and honor;  
no good thing do *You* withhold  
from those whose walk is blameless.” (Psalm 84:11)  
Today, I do ask that You show favor upon these leaders  
as they conclude all the business before them.  
Give them clarity and cohesiveness as they make final decisions.  
One more thing I ask of You...  
and You know how difficult this is for me to ask,  
but, I want to be Christlike and take the high road.  
So, I am asking that You be with the Jayhawks this weekend.  
Help them to play hard and smart  
and to represent Kansas well.  
In Christ’s Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Xu.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2748**, AN ACT concerning health and healthcare; enacting the no patient left alone act; requiring hospitals and other healthcare settings to allow in-person visitation of patients or residents, by Committee on Federal and State Affairs.

On motion of Rep. Hawkins, the House recessed until 11:00 a.m.

---

LATE MORNING SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **HB 2106**, and has appointed Senators Tyson, Peck and Holland as Second Conferees on the part of the Senate.

The Senate announced the appointment of Senators Olson, Hilderbrand and Faust-Goudeau to replace Senators Longbine, Fagg and Holscher as conferees on **HB 2136**.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 200** submits the following report:

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

On page 2, following line 19, by inserting:

"(d) This section shall take effect and be in force on and after July 1, 2022.";

Also on page 2, in line 20, before "K.S.A" by inserting "On and after July 1, 2022,";

On page 4, following line 22, by inserting:

"Sec. 3. K.S.A. 65-1682 is hereby amended to read as follows: 65-1682. As used in this act, unless the context otherwise requires:

(a) "Audit trail information" means information produced regarding requests for prescription monitoring program data that the board and advisory committee use to monitor compliance with this act.

(b) "Board" means the state board of pharmacy.

(c) "Delegate" means:

(1) A registered nurse, licensed practical nurse, respiratory therapist, emergency medical responder, paramedic, dental hygienist, pharmacy technician or pharmacy intern who has registered for access to the program database as an agent of a practitioner or pharmacist to request program data on behalf of the practitioner or pharmacist;

(2) a death investigator who has registered for limited access to the program database as an agent of a medical examiner, coroner or another person authorized under law to investigate or determine causes of death; or

(3) an individual authorized to access the program database by the board in rules and regulations.

~~(b)~~(d) "Dispenser" means a practitioner, pharmacy or pharmacist who delivers a scheduled substance or drug of concern to an ultimate user, but does not include:

(1) A licensed hospital pharmacy that distributes such substances for the purpose of inpatient hospital care;

(2) a medical care facility as defined in K.S.A. 65-425, and amendments thereto,

practitioner or other authorized person who administers such a substance;

(3) a registered wholesale distributor of such substances;

(4) a veterinarian licensed by the Kansas board of veterinary examiners who dispenses or prescribes a scheduled substance or drug of concern; or

(5) a practitioner who has been exempted from the reporting requirements of this act in rules and regulations promulgated by the board.

~~(e)~~(e) "Drug of concern" means any drug that demonstrates a potential for abuse and is designated as a drug of concern in rules and regulations promulgated by the board.

~~(f)~~(f) "Patient" means the person individual who is the ultimate user of a drug for whom a prescription is issued or for whom a drug is dispensed, ~~or both~~.

~~(g)~~(g) "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.

~~(h)~~ "Pharmacy" means a premises, laboratory, area or other place currently registered with the board where scheduled substances or drugs of concern are offered for sale or dispensed in this state.

~~(i)~~(i) "Practitioner" means a person an individual licensed to practice medicine and surgery, dentist, podiatrist, optometrist or other person individual authorized by law to prescribe or dispense scheduled substances and drugs of concern.

~~(j)~~(j) "Program" means the prescription monitoring program.

(k) "Scheduled substance" means controlled substances included in schedules II, III or IV of the schedules designated in K.S.A. 65-4107, 65-4109 and 65-4111, and amendments thereto, respectively, or the federal controlled substances act (21 U.S.C. § 812).

Sec. 4. K.S.A. 65-1683 is hereby amended to read as follows: 65-1683. (a) The board shall establish and maintain a prescription monitoring program for the monitoring of scheduled substances and drugs of concern dispensed in this state or dispensed to an address in this state.

(b) Each dispenser shall submit to the board by electronic means information required by the board regarding each prescription dispensed for a substance included under subsection (a). The board shall promulgate rules and regulations specifying the nationally recognized telecommunications format to be used for submission of information that each dispenser shall submit to the board. Such information may include, but not be limited to:

- (1) The dispenser identification number;
- (2) the date the prescription is filled;
- (3) the prescription number;
- (4) whether the prescription is new or is a refill;
- (5) the national drug code for the drug dispensed;
- (6) the quantity dispensed;
- (7) the number of days' supply of the drug;
- (8) the patient identification number;
- (9) the patient's name;
- (10) the patient's address;
- (11) the patient's date of birth;
- (12) the prescriber identification number;
- (13) the date the prescription was issued by the prescriber; ~~and~~

- (14) the source of payment for the prescription;
- (15) the diagnosis code;
- (16) the patient's species code; and
- (17) the date the prescription was sold.

(c) The board shall promulgate rules and regulations specifying the transmission methods and frequency of the dispenser submissions required under subsection (b).

~~(d) The board may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided that all information required by rules and regulations is submitted in this alternative format. The board may, in consultation with the advisory committee, enable features and include additional information to enhance the program database. Such information may include, but not be limited to:~~

- (1) The date or fact of death;
- (2) the dispensation or administration of emergency opioid antagonists, as defined by K.S.A. 65-16,127, and amendments thereto; and
- (3) the data related to an overdose event.

(e) The board is hereby authorized to apply for and to accept grants and may accept any donation, gift or bequest made to the board for furthering any phase of the prescription monitoring program.

(f) The board shall remit all moneys received by it under subsection (e) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.

Sec. 5. K.S.A. 65-1685 is hereby amended to read as follows: 65-1685. (a) ~~The prescription monitoring~~ program database, all information contained therein and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, including audit trail information, shall be privileged and confidential, shall not be subject to subpoena or discovery in civil proceedings and may only be used for investigatory or evidentiary purposes related to violations of state or federal law and regulatory activities of entities charged with administrative oversight of those ~~persons~~ individuals engaged in the prescribing or dispensing of scheduled substances and drugs of concern, shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto, except as provided in subsections (c) and (d).

(b) The board shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted and maintained is not disclosed to ~~persons~~ individuals except as provided in subsections (c) and (d).

(c) The board is hereby authorized to provide data in the ~~prescription monitoring~~ program to the following ~~persons~~ individuals:

- (1) Persons/Individuals authorized to prescribe or dispense scheduled substances and drugs of concern, for the purpose of providing medical or pharmaceutical care for their patients;

(2) an individual who requests the individual's own prescription monitoring information in accordance with procedures established by the board;

(3) designated representatives from the professional licensing, certification or regulatory agencies charged with administrative oversight of those ~~persons~~ individuals engaged in the prescribing or dispensing of scheduled substances and drugs of concern;

(4) local, state and federal law enforcement or prosecutorial officials engaged in the administration, investigation or enforcement of the laws governing scheduled substances and drugs of concern subject to the requirements in K.S.A. 22-2502, and amendments thereto;

(5) designated representatives from the department of health and environment regarding authorized medicaid program recipients or practitioners;

(6) ~~persons~~ individuals authorized by a grand jury subpoena, inquisition subpoena or court order in a criminal action;

(7) personnel of the prescription monitoring program advisory committee for the purpose of operation of the program;

(8) personnel of the board for purposes of operation of the program and administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto;

(9) ~~persons~~ individuals authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse or diversion of scheduled substances or drugs of concern; ~~and~~

(10) medical examiners, coroners or other ~~persons~~ individuals authorized under law to investigate or determine causes of death;

(11) persons operating a practitioner or pharmacist impaired provider program in accordance with K.S.A. 65-4924, and amendments thereto, for the purpose of reviewing drugs dispensed to a practitioner or pharmacist enrolled in the program;

(12) delegates of individuals authorized by paragraphs (1), (9) and (10);

(13) individuals or organizations notified by the advisory committee as provided in subsection (g);

(14) practitioners or pharmacists conducting research approved by an institutional review board who have obtained patient consent for the release of program data; and

(15) an overdose fatality review board established by the state of Kansas.

(d) An individual registered for access to the program database shall notify the board in writing within 30 calendar days of any action that would disqualify the individual from being authorized to receive program data as provided in subsection (c).

(e) The state board of healing arts, board of nursing, Kansas dental board and board of examiners in optometry shall notify the board in writing within 30 calendar days of any denial, suspension, revocation or other administrative limitation of a practitioner's license or registration that would disqualify the practitioner from being authorized to receive program data as provided in subsection (c).

(f) A practitioner or pharmacist shall notify the board in writing within 30 calendar days of any action that would disqualify a delegate from being authorized to receive program data on behalf of the practitioner or pharmacist.

~~(d)(g)~~ The prescription monitoring program advisory committee established pursuant to K.S.A. 65-1689, and amendments thereto, is authorized to review and analyze ~~the program~~ data for purposes of identifying patterns and activity of concern.

(1) If a review of information appears to indicate ~~a person~~ an individual may be obtaining prescriptions in a manner that may represent misuse or abuse of ~~controlled~~ scheduled substances and drugs of concern, the advisory committee is authorized to notify the prescribers and dispensers who prescribed or dispensed the prescriptions. If the review does not identify a recent prescriber as a point of contact for potential clinical intervention, the advisory committee is authorized to notify the disability and behavioral health services section of the Kansas department for aging and disability services for the purpose of offering confidential treatment services. Further disclosure of information is prohibited. If the review identifies patterns or other evidence sufficient to create a reasonable suspicion of criminal activity, the advisory committee is authorized to notify the appropriate law enforcement agency.

(2) If a review of information appears to indicate that a violation of state or federal law relating to prescribing ~~controlled~~ scheduled substances and drugs of concern may have occurred, or that a prescriber or dispenser has knowingly prescribed, dispensed or obtained ~~controlled~~ scheduled substances and drugs of concern in a manner that is inconsistent with recognized standards of care for the profession, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those ~~persons~~ individuals engaged in prescribing or dispensing of ~~controlled~~ scheduled substances and drugs of concern or to the appropriate law enforcement agency is warranted.

(A) For purposes of such determination the advisory committee may, in consultation with the appropriate regulatory agencies and professional organizations, establish criteria regarding appropriate standards and utilize volunteer peer review committees of professionals with expertise in the particular practice to create such standards and review individual cases.

(B) The peer review committee or committees appointed herein shall have authority to request and receive information in the ~~prescription monitoring~~ program database from the director of the ~~prescription monitoring~~ program.

(C) If the determination is made that a referral to a regulatory or law enforcement agency is not warranted but educational or professional advising might be appropriate, the advisory committee may refer the prescribers or dispensers to other such resources.

(3) If a review of information appears to indicate that program data has been accessed or used in violation of state or federal law, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those individuals engaged in prescribing or dispensing of scheduled substances and drugs of concern is warranted and may make such report.

(e) The board is hereby authorized to provide ~~data in the prescription monitoring program~~ data to public or private entities for statistical, research or educational purposes after removing information that could be used to identify individual practitioners, dispensers, patients or ~~persons~~ individuals who received prescriptions from dispensers.

(f) The board is hereby authorized to provide a medical care facility with its program data for statistical, research or education purposes after removing information that could be used to identify individual practitioners or individuals who received prescriptions from dispensers.

(g) The board may, in its discretion, block any user's access to the program database if the board has reason to believe that access to the data is or may be used by

such user in violation of state or federal law.

Sec. 6. K.S.A. 65-1687 is hereby amended to read as follows: 65-1687. ~~(a) All information collected for the prescription monitoring program database and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, shall be retained for five years. Such information and records shall then be destroyed unless a law enforcement entity or an entity charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern has submitted a written request to the board for retention of specific information or records in accordance with procedures adopted by the board~~

(b) Program data shall not be stored outside of the program database, with the following exceptions:

(1) Temporary storage necessary to deliver program data to electronic health records or pharmacy management systems approved by the board;

(2) retention of specific information or records related to an investigation or proceeding under administrative or criminal law;

(3) program data provided under K.S.A. 65-1685(e), and amendments thereto; or

(4) board retention of information for purposes of operation of the program and administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 et seq., and amendments thereto.

Sec. 7. K.S.A. 65-1689 is hereby amended to read as follows: 65-1689. (a) There is hereby created the ~~prescription monitoring~~ program advisory committee which, subject to the oversight of the board, shall be responsible for the operation of the ~~prescription monitoring~~ program. The advisory committee shall consist of at least ~~nine~~ 10 members appointed by the board as follows:

(1) Two licensed physicians, one nominated by the Kansas medical society and one nominated by the Kansas association of osteopathic medicine;

(2) two licensed pharmacists nominated by the Kansas pharmacists association;

(3) one person representing the Kansas bureau of investigation nominated by the attorney general;

(4) one person representing the university of Kansas school of medicine nominated by the dean of such school;

(5) one person representing the university of Kansas school of pharmacy nominated by the dean of such school;

(6) one licensed dentist nominated by the Kansas dental association; ~~and~~

(7) one person representing the Kansas hospital association nominated by such association;

(8) one licensed advanced practice provider nominated by either the board of nursing or the state board of healing arts; and

(9) the board may also appoint other persons authorized to prescribe or dispense scheduled substances and drugs of concern, recognized experts and representatives from law enforcement.

(b) The appointments to the advisory committee shall be for terms of three years.

(c) The advisory committee shall elect a chairperson from among its members who shall serve a one-year term. The chairperson may serve consecutive terms.

(d) The advisory committee, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting when it is considering matters

relating to identifiable patients or providers.

(e) Upon the expiration of the term of office of any member of the advisory committee on or after the effective date of this act, and in any case of a vacancy existing on or after the effective date of this act, a successor shall be appointed by the board pursuant to this section.

(f) All members of the advisory committee shall serve without compensation.

Sec. 8. K.S.A. 65-1682, 65-1683, 65-1685, 65-1687 and 65-1689 are hereby repealed.";

Also on page 4, in line 23, before "K.S.A." by inserting "On and after July 1, 2022,"; in line 25, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "pharmacists and pharmacy; relating to"; in line 6, after the semicolon by inserting "adding to the list of persons who may receive prescription monitoring program data; providing requirements for data security and user and delegate access; increasing the number of members of the prescription monitoring program advisory committee,"; also in line 6, after "65-1626a" by inserting ", 65-1682, 65-1683, 65-1685, 65-1687 and 65-1689"; in line 7, by striking "section" and inserting "sections";

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

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

*Conferees on part of House*

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Landwehr, the conference committee report on **SB 200** was adopted.

On roll call, the vote was: Yeas 112; Nays 2; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, W. Carpenter, Clark, Clayton, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Ousley.



Present but not voting: None.

Absent or not voting: Coleman, Estes, Finney, Helmer, Huebert, Long, F. Patton, Poetter, Schmidt, Victors, Winn.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 343** submits the following report:

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

On page 1, following line 8, by inserting:

"New Section 1. (a) The purpose of sections 1 through 3, and amendments thereto, is to protect the best interests of children parented by blind individuals or children who could be parented by blind individuals through the establishment of procedural safeguards that require adherence to the federal Americans with disabilities act of 1990, and respect for the due process and equal protection rights of parents and prospective parents who are blind in the context of child welfare, foster care, family law and adoption.

(b) The legislature hereby finds and declares that:

(1) Blind individuals continue to face unfair, preconceived and unnecessary societal biases as well as antiquated attitudes regarding such individuals' ability to successfully parent their children;

(2) blind individuals face these biases and preconceived attitudes in family and dependency law proceedings where legal custody, residency and parenting time are at stake and in public and private adoption, guardianship and foster care proceedings;

(3) because of these societal biases and antiquated attitudes, children of blind parents are unnecessarily being removed from their parents' care or being restricted from enjoying meaningful time with their parents; and

(4) children are being denied the opportunity to enjoy the experience of living in loving homes with blind parents or other blind caretakers.

New Sec. 2. As used in sections 1 through 3, and amendments thereto:

(a) "Blind" or "blindness" means a central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye that has a limitation in the field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees is considered to have a central visual acuity of 20/200 or less. The term "blind" or "blindness" includes any degenerative condition that reasonably can be expected to result in blindness.

(b) "Family foster home" means a child care facility that is a private residence, including any adjacent grounds, where a person provides care for 24 hours per day for one or more children in foster care and for which a license is required under K.S.A. 65-501 et seq., and amendments thereto.

(c) "Supportive parenting services" means services, including, but not limited to, services, aids and supports that may assist a parent or prospective parent who is blind in the effective use of non-visual techniques and other alternative methods to enable the

parent or prospective parent to discharge parental responsibilities as successfully as a parent who is not blind.

New Sec. 3. (a) In any action brought under article 22 or article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto:

(1) A parent's blindness shall not serve as a basis for denial or restriction of legal custody, residency or parenting time when such legal custody, residency or parenting time is determined to be otherwise in the best interests of the child;

(2) (A) if a parent's blindness is alleged to not be in the best interests of a child, the party asserting such allegation shall have the burden of proving by clear and convincing evidence that the parent's blindness is not in the best interests of the child;

(B) if a party asserting an allegation described in subparagraph (A) has satisfied such party's burden of proof, the blind parent shall have the opportunity to present evidence that, with the implementation of supportive parenting services, placement with such parent is in the best interests of the child; and

(C) the court may issue an order requiring that supportive parenting services be implemented, and the parties may request that the court review the need for continuing such supportive parenting services after a reasonable period of time; and

(3) if a court denies or otherwise restricts a blind parent's request for legal custody, residency or parenting time, the court shall make specific findings of fact stating the basis for its decision, including reasons why the provision of supportive parenting services is not a reasonable accommodation that is required to prevent such denial or restriction.

(b) In any action brought under article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, a prospective parent's blindness shall not serve as a basis for the denial of such prospective parent's participation in any adoption when such adoption is determined to be otherwise in the best interests of the child.

(c) In any action brought under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, an individual's blindness shall not serve as a basis for the denial of such individual's appointment as a guardian when such appointment is determined to be otherwise in the best interests of the child.

(d) An individual's blindness shall not serve as a basis for the denial or restriction of such individual's licensure as a family foster home.

(e) (1) In any action brought under article 22 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, an individual's blindness shall not serve as a basis for an order of temporary custody, adjudication, disposition, finding of unfitness or termination of parental rights.

(2) If a court issues an order of temporary custody, adjudication, disposition, finding of unfitness or termination of parental rights that is adverse to an individual who is a party to the proceeding and who is blind, the court shall make specific findings of fact stating the basis for its decision, including reasons why the provision of supportive parenting services is not a reasonable accommodation that is required to prevent such adverse order.";

On page 19, in line 5, by striking "statute book" and inserting "Kansas register";  
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "hearing loss" and inserting "disabilities; preserving families that include a parent who is blind; providing for certain considerations relating to cases involving legal custody, residency, parenting time, children in need of care, adoption, foster care and guardianship";

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

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

*Conferees on part of House*

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Landwehr, the conference committee report on **SB 343** was adopted.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Coleman, Estes, Finney, Helmer, Long, F. Patton, Poetter, Schmidt, Victors, Winn.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 453** submits the following report:

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

On page 1, by striking all in lines 13 through 25;

On page 7, following line 12, by inserting:

"Sec. 3. K.S.A. 2021 Supp. 65-6306 is hereby amended to read as follows: 65-

6306. (a) The board shall issue a license as a baccalaureate social worker to an applicant who has:

(1) A baccalaureate degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) passed an examination approved by the board for this purpose; and

(3) satisfied the board that the applicant is a person who merits the public trust.

(b) The board shall issue a license as a master social worker to an applicant who has:

(1) Except as provided in subsection (f), a master's degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) passed an examination approved by the board for this purpose; and

(3) satisfied the board that the applicant is a person who merits the public trust.

(c) The board shall issue a license in one of the social work specialties to an applicant who has:

(1) A master's or doctor's degree from an accredited graduate school of social work, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) had two years of full-time post-master's or post-doctor's degree experience under the supervision of a licensed social worker in the area of the specialty in which such applicant seeks to be licensed;

(3) passed an examination approved by the board for this purpose; and

(4) satisfied the board that the applicant is a person who merits the public trust.

(d) (1) The board shall issue a license as a specialist clinical social worker to an applicant who:

(A) Has met the requirements of subsection (c);

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (c) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience, including psychotherapy and assessment, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual or additional postgraduate supervised experience as determined by the board;

(D) has completed as part of or in addition to the requirements of subsection (c) not less than two years of postgraduate supervised professional experience, in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of

mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (c) prior to July 1, 2003, in lieu of the education and training requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary license to practice as a specialist clinical social worker on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee.

(2) A licensed specialist clinical social worker may engage in the social work practice and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed specialist clinical social worker shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed specialist clinical social worker may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(3) Notwithstanding any other provision of this subsection, a licensed master social worker who has provided to the board an acceptable clinical supervision plan for licensure as a specialist clinical social worker prior to the effective date of this act shall be licensed as a specialist clinical social worker under this act upon completion of the requirements in effect for licensure as a specialist clinical social worker at the time the acceptable training plan is submitted to the board.

(4) A person licensed as a specialist clinical social worker on the day immediately preceding the effective date of this act shall be deemed to be a licensed specialist clinical social worker under this act. Such person shall not be required to file an original application for licensure as a specialist clinical social worker under this act.

(e) The board shall adopt rules and regulations establishing the criteria ~~which~~ that a social work program of a college or university shall satisfy to be recognized and approved by the board under this section. The board may send a questionnaire developed by the board to any college or university conducting a social work program for which the board does not have sufficient information to determine whether the program should be recognized and approved by the board and whether the program meets the rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the program to be considered for recognition and approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about a social work program of a college or university. In entering such contracts the authority to recognize and approve a social work program of a college or

university shall remain solely with the board.

(f) (1) Notwithstanding any pending candidacy for accreditation of the masters of social work program at Fort Hays state university, the board shall:

(A) Accept a master's degree from such program as from an accredited college or university for the purpose of issuing a license as a master social worker to an applicant under subsection (b); and

(B) not impose any additional or alternative requirements to accreditation upon an applicant with such degree based on such program's pending candidacy for accreditation.

(2) The provisions of this subsection shall apply retroactively and shall expire on July 1, 2023.

Sec. 4. K.S.A. 2021 Supp. 65-6610 is hereby amended to read as follows: 65-6610.

(a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:

(1) Has attained 21 years of age;

(2) (A) has completed at least a baccalaureate degree from an addiction counseling program that is part of a college or university approved by the board;

(B) has completed at least a baccalaureate degree from a college or university approved by the board. As part of, or in addition to, the baccalaureate degree coursework, such applicant shall also complete a minimum number of semester hours of coursework on substance use disorders as approved by the board; ~~or~~

(C) is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; or

(D) is currently licensed in Kansas by the board as a master social worker, specialist clinical social worker, professional counselor, clinical professional counselor, marriage and family therapist, clinical marriage and family therapist, master's level psychologist, clinical psychotherapist or psychologist. Such licensees shall be eligible to take the examination as required by paragraph (3);

(3) has passed an examination approved by the board;

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee established by the board under K.S.A. 65-6618, and amendments thereto.

(b) Applications for licensure as a master's addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) (A) Has attained 21 years of age;

(B) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board;

(ii) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or

(iii) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed master's level psychologist;

(C) has passed an examination approved by the board;  
 (D) has satisfied the board that the applicant is a person who merits the public trust;  
 and  
 (E) has paid the application fee fixed under K.S.A. 65-6618, and amendments thereto; or

(2) (A) has met the following requirements on or before July 1, 2016:  
 (i) Holds an active license by the board as an addiction counselor; and  
 (ii) has completed at least a master's degree in a related field from a college or university approved by the board; and  
 (B) has completed six hours of continuing education in the diagnosis and treatment of substance use disorders during the three years immediately preceding the application date.

(c) Applications for licensure as a clinical addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) Has attained 21 years of age;  
 (2) (A) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, except that the board may waive  $\frac{1}{2}$  of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required  $\frac{1}{2}$  of the hours in not less than one year of supervised professional experience; or

(B) (i) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric

association, except that the board may waive  $\frac{1}{2}$  of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required  $\frac{1}{2}$  of the hours in not less than one year of supervised professional experience; or

(C) (i) has completed a master's degree from a college or university approved by the board and is licensed by the board as a licensed master's addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, except that the board may waive  $\frac{1}{2}$  of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required  $\frac{1}{2}$  of the hours in not less than one year of supervised professional experience; or

(D) is currently licensed in Kansas as a licensed psychologist, licensed specialist clinical social worker, licensed clinical professional counselor, licensed clinical psychotherapist or licensed clinical marriage and family therapist and provides to the board an attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders;

(3) has passed an examination approved by the board;

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee fixed under K.S.A. 65-6618, and amendments thereto.";

Also on page 7, in line 13, after "65-5115" by inserting "and K.S.A. 2021 Supp. 65-6306 and 65-6610"; in line 15, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 7 and 8; in line 9, by striking all before "amending" and inserting "licensees of the behavioral sciences regulatory board; allowing board-approved postgraduate experience to count toward graduate level supervised clinical practicum of supervised professional experience; permitting current master's and clinical level licensees to take the addiction counselor's test;"; in line 10, after "and" by inserting "K.S.A. 2021 Supp. 65-6306 and 65-6610 and";

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

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

*Conferees on part of House*



RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

Conferees on part of Senate

On motion of Rep. Landwehr, the conference committee report on **SB 453** was adopted.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Coleman, Estes, Finney, Helmer, F. Patton, Poetter, Schmidt, Victors, Winn.

#### **CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 286** submits the following report:

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

On page 1, in line 22, after the second "of" by inserting ":

(A)";

Also on page 1, in line 23, by striking the first comma and inserting "with the intent to prevent such employee from freely moving to a different location or to provide care for another person;

(B)";

Also on page 1, also in line 23, after "intimidation" by inserting a semicolon; also in line 23, by striking "by" and inserting:

"(C)";

On page 8, in line 21, after "(g)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act.";

On page 9, in line 8, after "(e)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act."; in line 11, by striking the comma and inserting ":

(1) (A)";

Also on page 9, in line 11, after "provider" by inserting "that is employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto,"; following line 16, by inserting:

"(B) The provisions of subparagraph (A) shall not apply to a healthcare provider that is employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto, that denies healthcare services to a person at such medical care facility based solely on such person's COVID-19 vaccination status.

(2) A healthcare provider that is not employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto, is immune from civil liability for damages, administrative fines or penalties for acts, omissions, healthcare decisions or the rendering of or the failure to render healthcare services, including services that are altered, delayed or withheld, as a direct response to the COVID-19 public health emergency.";

Also on page 9, in line 17, after "(b)" by inserting "(1) Except as provided in paragraph (2),"; in line 20, after the period by inserting "The provisions of this section shall apply to such claims accruing on or after March 30, 2022, and prior to the effective date of this act.

(2) The provisions of subsection (a)(1), as amended by this act, shall apply to any claims for damages or liability that arise out of or relate to acts, omissions or healthcare decisions occurring between the effective date of this act and January 20, 2023, related to the COVID-19 public health emergency.";

Also on page 9, in line 34, after "(b)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act."; in line 40, after "(b)" by inserting "(1) Except as provided in paragraph (2),";

On page 10, following line 6, by inserting:

"(2) The provisions of K.S.A. 2021 Supp. 60-5503(a)(1), as amended by this act, shall apply to any cause of action accruing on or after the effective date of this act and prior to January 20, 2023.";

On page 11, in line 22, after the period by inserting "Notwithstanding the prior expiration of this paragraph on March 31, 2022, the provisions of this paragraph shall be in force and effect on and after the effective date of this act.";

On page 1, in the title, in line 1, by striking "liability for certain actions" and inserting "public health";

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

FRED PATTON

BRADLEY RALPH

*Conferees on part of House*

KELLIE WARREN

RICK WILBORN

*Conferees on part of Senate*

On motion of Rep. Ralph to adopt the Conference Committee Report, Rep. Featherston offered a substitute motion to not adopt and a new conference committee be appointed. The substitute motion did not prevail and the question reverted back to the original motion of Rep. Ralph to adopt the conference committee report.

A Call of the House was demanded during the vote to adopt the Conference Committee Report on the **H Sub for Sub SB 286**. Rep. Featherston requested to be excused from voting under House Rule 2508(b). Having not received the approval of a 2/3 majority of members present, Rep. Featherston was required to vote.

Also, Rep. Probst requested to be excused from voting. Having received the approval of the required majority, Rep. Probst was excused from voting.

On motion of Rep. Ralph, the conference committee report on **H Sub for Sub SB 286** was adopted.

On roll call, the vote was: Yeas 64; Nays 51; Present but not voting: 1; Absent or not voting: 9.

Yeas: Anderson, Arnberger, Baker, Barker, Bergquist, Blex, Borjon, Carlson, W. Carpenter, Clark, Clifford, Collins, Concannon, Croft, Delperdang, Dodson, M., Donohoe, Eplee, Fairchild, Featherston, Finch, Francis, Hawkins, Highland, Hoffman, Hoheisel, Howell, Howerton, Huebert, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Neelly, Newland, Orr, Owens, Penn, Proehl, Rahjes, Ralph, Resman, Ryckman, Samsel, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore.

Nays: Alcalá, Amyx, Awerkamp, Ballard, Bergkamp, Burris, Burroughs, Byers, Carlin, Carmichael, Clayton, Corbet, Curtis, Ellis, Esau, French, Garber, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Howe, Hoyer, Humphries, Jacobs, Kuether, Lee-Hahn, Meyer, Miller, Murphy, Neighbor, Ohaebosim, Osman, Ousley, Poskin, Proctor, Rhiley, Ruiz, L., Ruiz, S., Sanders, Sawyer, Seiwert, Stogsdill, Toplikar, Vaughn, Waggoner, Weigel, Woodard, Xu.

Present but not voting: Probst.

Absent or not voting: Coleman, Estes, Finney, Helmer, F. Patton, Poetter, Schmidt, Victors, Winn.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on the **CCR for H Sub for Sub for SB 286**. I have great admiration for our healthcare workers who have done so much during the COVID 19 emergency, and I support the enhanced penalties for battery against a healthcare provider included in this legislation. However, the immunity for health care providers in this legislation while temporary, limited, and only applying in cases where treatment is related to COVID19, whether the patient is vaccinated or not, requires I vote No on this legislation. – JOHN CARMICHAEL

MR. SPEAKER: While I voted yes for this bill this decision was very difficult. The balance in protecting our health care workers versus patient's rights is extremely challenging and difficult. Sadly, I believe this is the best we can negotiate at this time. I hope we can do better in the future. I vote yes on **CCR for H Sub for Sub for SB 286** – LEAH HOWELL, CYNDI HOWERTON

MR. SPEAKER: I vote "no" on **Senate Bill 286**. In this bill, a hospital only forfeits immunity for the patient against which it discriminates, not all of its patients. I don't think this is an adequate deterrent to prevent a hospital from discriminating against patients based on their vaccine status. And more importantly, I will not participate in

perpetuating the lie that we are still in a “Covid-19 emergency.” This lie has been used to destroy lives. It has been used to destroy livelihoods. It needs to end. And it won’t end until we sunset ALL of the emergency measures, including this legal immunity. For that reason, only, I vote “no” on SB 286. – PAT PROCTOR, CLARKE SANDERS, DAVID FRENCH, MIKE HOUSER, PAUL WAGGONER

MR. SPEAKER: I vote in favor of **SB 286**. It is one of the most difficult votes I have ever taken. I feel strongly in favor and in opposition, given the opposing interest in the subject matters included in this one conference report. These matters should not have been included together. – ERIC SMITH, JIM MINNIX, STEVE HUEBERT, LES MASON, LISA MOSER

MR. SPEAKER: Under protest, I have changed my vote from present to yes. I am deeply disappointed that **HB 2260** became the victim of partisan and special interest politics. However, today I choose to stand with emergency department nurses and doctors who have been attacked and will continue to be attacked at work. Additionally, I encourage anyone of you that have been the victim of gross negligence to utilize the legal system to the fullest extent. I vote yes on **CCR SB 286**. – LINDA FEATHERSTON

MR. SPEAKER: I vote no on **CCR SB 286**. This was an excellent original bill. It's clear our health care workers face an inordinate amount of danger in the workplace and they should be insulated and protected from this sort of behavior. However, there's an obvious poison pill provision here and I will be voting no. While increased penalties on battery are appropriate, the immunity for health care providers regarding COVID-19 treatment is problematic and I must not support it. I cannot risk rendering all malpractice suits null over the next 10 months. – STEPHANIE CLAYTON, RUI XU, BARBARA BALLARD, SYDNEY CARLIN, CHRISTINA HASWOOD, JERRY STOGSDILL, KC OHAEBOSIM, DAN OSMAN, CINDY NEIGHBOR, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, HEATHER MEYER, LINDSAY VAUGHN, VIRGIL WEIGEL, LOUIS RUIS, PAM CURTIS, TOM SAWYER

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 160** submits the following report:

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

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

KRISTEY WILLIAMS

KYLE HOFFMAN

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Williams the conference committee report on **SB 160** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. Williams, Hoffman and Ousley as second conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 58** submits the following report:

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

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

KRISTEY WILLIAMS

KYLE HOFFMAN

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Williams the conference committee report on **SB 58** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. Williams, Hoffman and Ousley as second conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2106** submits the following report:

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

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

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

*Conferees on part of Senate*

ADAM SMITH

LES MASON

JIM GARTNER

*Conferees on part of House*

On motion of Rep. A. Smith, the conference committee report on **HB 2106** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. A. Smith, Mason and Gartner as second conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 2:30 p.m.

---

**EARLY AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGE FROM THE SENATE**

The Senate adopts the Conference Committee report to agree to disagree on **SB 58**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 160**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **Sub HB 2466**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

**CHANGE OF CONFEREES**

Speaker pro tem Finch announced the appointment of Reps. A. Smith, Mason, and Gartner to replace Reps. S. Johnson, Croft, and Neighbor as members of the conference committee on **HB 2136**.

On motion of Rep. Hawkins, the House recessed until 3:00 p.m.

---

**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGE FROM THE SENATE**

The Senate announced the appointment of Senator Petersen to replace Senator Hilderbrand as a conferee on **SB 84**.

The Senate announced the appointment of Senators Tyson, Peck and Holland to replace Senators Olson, Hilderbrand and Faust-Goudeau as conferees on **HB 2136**.

The Senate concurs in House amendments to **SB 150**, and requests return of the bill.

The Senate adopts the Conference Committee report on **H Sub for SB 91**.

The Senate adopts the Conference Committee report on **SB 408**.

The Senate adopts the Conference Committee report on **HB 2109**.

The Senate adopts the Conference Committee report on **HB 2299**.

The Senate adopts the Conference Committee report on **S Sub for HB 2361**.

The Senate adopts the Conference Committee report on **HB 2377**.

The Senate adopts the Conference Committee report on **HB 2508**.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 267** submits the following report:

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

On page 1, by striking all in lines 12 through 35;

By striking all in pages 2 through 293;

On page 294, by striking all in lines 1 through 9 and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

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

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

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

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

Stanley Wooley Jr. #96814  
P.O. Box 2  
Lansing, KS 66043 .....\$33.64

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

Allen Todd #88097  
P.O. Box 1568  
Hutchinson, KS 67504 .....\$50.00

Travis Becker #121392  
P.O. Box 1568  
Hutchinson, KS 67504 .....\$265.00

Word Ackward #79694  
P.O. Box 1568  
Hutchinson, KS 67504 .....\$76.01

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

Willie Simmons #117440  
El Dorado Correctional Facility  
P.O. Box 311  
El Dorado, KS 67042 .....\$21.42

Roger Deere, II #70912  
 El Dorado Correctional Facility  
 P.O. Box 311  
 El Dorado, KS 67042 .....\$138.45

Clinton Eugene Ross #0123450  
 El Dorado Correctional Facility  
 P.O. Box 311  
 El Dorado, KS 67042 .....\$200.00

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

Brad Gillespie #117695  
 El Dorado Correctional Facility  
 P.O. Box 311  
 El Dorado, KS 67042.....\$60.80

Sec. 3. The Kansas adjutant general's department is hereby authorized and directed to pay the following amount from its operating expenditures account of the state general fund for property damage to the following claimant:

Scott Heston  
 4109 NW Walnut Rd  
 Topeka, KS 66618 .....\$1,144.55

Sec. 4.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

ACLU Foundation litigation settlement.....\$1,425,000.00  
 Dentons US LLP litigation settlement.....\$475,000.00

Sec. 5. The Kansas department of revenue is hereby authorized and directed to pay the following amount from its sales tax refund fund for reimbursement of overage payments in a company's sales tax account to the following claimant:

OneNeck IT Solutions, LLC  
 8401 Greenway Blvd, Suite 230  
 Middleton, WI 53562 .....\$47,788.56

Sec. 6. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments



thereto, to the following claimants:

Concrete Service Co Inc.

PO Box 1205

Great Bend, KS 67530 .....\$255.53

Curtis A. Ernst

1415 T Road

Mankato, KS 66956 .....\$116.30

Freedom Aviation Enterprise LLC

2530 Flor De Sol

Salina, KS 67401 .....\$57.48

Colleen Geier

938 S 110 St.

Girard, KS 66743 .....\$153.36

Grant County Feeders

PO Box 1087

Ulysses, KS 67880 .....\$1,870.34

Hesston College

PO Box 3000

Hesston, KS 67062 .....\$44.04

Knight Refrigerated LLC

PO Box 540555

North Salt Lake, UT 84054 .....\$2,169.65

John Korber

2844 L Rd.

Bern, KS 66408 .....\$172.80

Labette County Hwy Dept

PO Box 301

Altamont, KS 67330 .....\$3,447.76

McPherson County Public Works

1115 W Ave A

McPherson, KS 67460 .....\$8,971.79

National Carriers Inc.

PO Box 540555

North Salt Lake, UT 84054 .....	\$7,657.88
Navajo Express Inc. 1400 W 64 <sup>th</sup> Ave Denver, CO 80221 .....	\$3,678.95
Russell Ready Mix Concrete Inc. PO Box 1205 Great Bend, KS 67530 .....	\$107.72
USD 247 Cherokee 506 S Smelter St. Cherokee, KS 66724 .....	\$294.14
Louis B. Vestring 9872 NE Stony Creek Road Cassoday, KS 66842 .....	\$459.65

Sec. 7. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 6, and amendments thereto, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 6 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 8.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 14(a) of chapter 116 of the 2021 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby decreased from \$12,090,773 to \$11,727,452.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 14(b) of chapter 116 of the 2021 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby decreased from \$12,649,189 to \$12,087,285.

Sec. 9.

## KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 7(a) of chapter 98 of the 2021 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$158,683 to \$178,073.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 7(a) of chapter 98 of the 2021 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$159,162 to \$172,840.

Sec. 10.

## BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 8(a) of chapter 98 of the 2021 Session Laws of Kansas on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$968,062 to \$988,412.

Sec. 11.

## STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 16(b) of chapter 116 of the 2021 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$6,527,233 to \$6,550,427.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 9(a) of chapter 98 of the 2021 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby decreased from \$6,852,656 to \$6,595,727.

Sec. 12.

## KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 11(a) of chapter 98 of the 2021 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby decreased from \$1,162,205 to \$1,144,804.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 11(a) of chapter 98 of the 2021 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby decreased from \$1,169,064 to \$1,159,953.

Sec. 13.

## STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 17(a) of chapter 116 of the 2021 Session Laws of Kansas on the mortuary arts fee fund (204-00-2709-0100) of the state board of mortuary arts is hereby decreased from \$369,038 to \$367,875.

Sec. 14.

#### KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 17(a) of chapter 98 of the 2021 Session Laws of Kansas on the hearing instrument board fee fund (266-00-2712-9900) of the Kansas board of examiners in fitting and dispensing of hearing instruments is hereby increased from \$32,188 to \$34,072.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 17(a) of chapter 98 of the 2021 Session Laws of Kansas on the hearing instrument board fee fund (266-00-2712-9900) of the Kansas board of examiners in fitting and dispensing of hearing instruments is hereby increased from \$32,370 to \$34,010.

Sec. 15.

#### BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 18(a) of chapter 98 of the 2021 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,037,107 to \$3,061,286.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 18(a) of chapter 98 of the 2021 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$2,882,559 to \$3,043,871.

Sec. 16.

#### BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 19(a) of chapter 98 of the 2021 Session Laws of Kansas on the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry is hereby increased from \$169,599 to \$194,599.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 19(a) of chapter 98 of the 2021 Session Laws of Kansas on the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry is hereby increased from \$172,118 to \$197,118.

Sec. 17.

## STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 18(a) of chapter 116 of the 2021 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby decreased from \$2,608,906 to \$2,233,826.

(b) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 65-1685, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 as authorized by section 21 of chapter 98 of the 2021 Session Laws of Kansas, section 18 of chapter 116 of the 2021 Session Laws of Kansas, this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide data in the prescription monitoring program to designated representatives from the department of health and environment regarding authorized medicaid program practitioners.

(c) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 21(a) of chapter 98 of the 2021 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby decreased from \$3,335,613 to \$3,152,132.

(d) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 65-1685, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide data in the prescription monitoring program to designated representatives from the department of health and environment regarding authorized medicaid program practitioners.

Sec. 18.

## KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 23(a) of chapter 98 of the 2021 Session Laws of Kansas on the real estate fee fund (549-00-2721-0100) of the Kansas real estate commission is hereby increased from \$1,190,738 to \$1,197,838.

Sec. 19.

## STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 26(a) of chapter 98 of the 2021 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby increased from \$335,971 to \$339,745.

(b) On July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 26(a) of chapter 98 of the 2021 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby increased from \$336,109 to \$351,671.

Sec. 20.

GOVERNMENTAL ETHICS COMMISSION

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

Operating expenditures (247-00-1000-0103)	
For the fiscal year ending June 30, 2022.....	\$19,845
For the fiscal year ending June 30, 2023.....	\$21,743

Sec. 21.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$757,225 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 30(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account (422-00-1000-0100), the sum of \$71,443 is hereby lapsed.

(b) On the effective date of this act, of the \$4,546,798 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 30(a) of chapter 98 of the 2021 Session Laws of Kansas from the legislative research department – operations account (425-00-1000-0103), the sum of \$254,390 is hereby lapsed.

(c) On the effective date of this act, of the \$4,241,111 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 30(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account (579-00-1000-0103), the sum of \$498,193 is hereby lapsed.

Sec. 22.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Legislative coordinating council –	
operations (422-00-1000-0100).....	\$752,441

*Provided*, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Legislative research department –	
operations (425-00-1000-0103).....	\$4,661,008

*Provided*, That any unencumbered balance in the legislative research department –

operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Office of revisor of statutes –  
operations (579-00-1000-0103).....\$4,132,662

*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special  
revenue fund (425-00-2111-2000).....No limit  
Legislature employment security fund.....No limit

Sec. 23.

LEGISLATURE

(a) On the effective date of this act, of the \$17,911,128 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 32(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$7,289,669 is hereby lapsed.

(b) On the effective date of this act, of the \$5,829,366 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 32(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the legislative information system account (428-00-1000-0300), the sum of \$500,954 is hereby lapsed.

Sec. 24.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operations (including official  
hospitality) (428-00-1000-0103).....\$17,085,667

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto,

for attendance at meetings of the advisory committee that are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*; That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*; That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2023 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing of the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*; That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*; That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*; That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council: *And provided further*; That expenditures shall be made by the



above agency from this account in fiscal year 2023 to increase by the amount of 15% the salaries and wages, and associated fringe benefits, for committee assistants and office assistants.

Legislative information system (428-00-1000-0300).....\$6,327,654

*Provided*, That any unencumbered balance in the legislative information system account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund (428-00-2260-2200).....No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account

of the legislative special revenue fund: *And provided further*; That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2023 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2023: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2023.

Capitol restoration – gifts and donations fund (428-00-7348-7000).....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol preservation committee, joint committee on child welfare system oversight, joint committee on fiduciary financial institutions oversight and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 25.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,356,162 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 34(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account (540-00-1000-0100), the sum of \$171,164 is hereby lapsed.

Sec. 26.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,477,553

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Sec. 27.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Governor's department (252-00-1000-0503).....\$1,406

(b) On the effective date of this act, of the \$4,639,941 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 36(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the domestic violence prevention grants account (252-00-1000-0600), the sum of \$75 is hereby lapsed.

(c) On the effective date of this act, of the \$804,948 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 36(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the child advocacy centers account (252-00-1000-0610), the sum of \$13 is hereby lapsed.

Sec. 28.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Governor's department (252-00-1000-0503).....\$2,764,050

*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants (252-00-1000-0600).....\$4,640,194

*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at

the discretion of the governor.

Child advocacy centers (252-00-1000-0610).....\$804,984

*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

Rural housing revolving loan program (300-00-1000).....\$20,000,000

*Provided*, That expenditures may be made from the rural housing revolving loan program account to provide loans or grants to rural communities for moderate-and-low-income housing development, including infrastructure necessary to support that development.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Domestic violence grants fund (252-00-2014-2014).....No limit

*Provided*, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund (252-00-2024-2024).....No limit

Special programs fund (252-00-2149).....No limit

*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences

shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Conversion of materials and equipment fund (252-00-2409).....	No limit
Kansas commission on disability concerns fee fund (252-00-2767).....	No limit
Residential substance abuse – federal fund (252-00-3006).....	No limit
Arrest grant – federal fund (252-00-3082).....	No limit
National criminal history improvement program – federal fund (252-00-3189).....	No limit
Violence against women grant – federal fund (252-00-3214).....	No limit
Project safe neighborhoods – federal fund (252-00-3217).....	No limit
Coverdell forensic science improvement – federal fund (252-00-3227).....	No limit
Crime victim assistance – federal fund (252-00-3260).....	No limit
Access visitation grant – federal fund (252-00-3460).....	No limit
Battered women/family violence prevention – federal fund (252-00-3461).....	No limit
Sexual assault services program – federal fund (252-00-3465).....	No limit
Emergency rental assistance – federal fund (252-00-3646).....	No limit
Coronavirus emergency supplemental – federal fund (252-00-3671).....	No limit
Coronavirus relief fund – federal fund (252-00-3753).....	No limit
American rescue plan – state fiscal relief – federal fund (252-00-3756).....	No limit

*Provided*, That during the fiscal year ending June 30, 2023, except as provided in subsection (f), no expenditures shall be made from or obligation requested to be incurred against the American rescue plan – state fiscal relief federal fund without a

recommendation from the strengthening people and revitalizing Kansas executive committee and approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *Provided further*; That the strengthening people and revitalizing Kansas executive committee shall meet and review each such request and shall report such executive committee's recommendation to the state finance council: *And provided further*; That the membership of such executive committee shall consist of seven individuals, including a chairperson appointed by the governor, one public sector individual appointed by the governor, one private sector individual appointed by the governor, the president of the senate or the president's designee, one private sector individual appointed by the president of the senate, the speaker of the house of representatives or the speaker's designee and one private sector individual appointed by the speaker of the house of representatives.

Edward Byrne justice assistance grants –  
federal fund (252-00-3757).....No limit

Prison rape elimination act –  
federal fund (252-00-3758).....No limit

Homeowners' assistance –  
federal fund (252-00-3759).....No limit

John R Justice grant –  
federal fund (252-00-3802).....No limit

Hispanic and Latino  
American affairs commission –  
donations fund (252-00-7236).....No limit

Advisory commission on  
African-American affairs –  
donations fund (252-00-7242).....No limit

Pandemic assistance/vaccine equity –  
federal fund.....No limit

Family violence prevention and services – ARPA  
federal fund.....No limit

Homeowner assistance fund – federal fund.....No limit

Emergency rental assistance – federal fund.....No limit

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Holocaust memorial.....\$10,000

*Provided, however*; That no expenditures shall be made from this account until the above agency reviews expenditures that may be made by the governor's department from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 for the governor's department as authorized by this or other appropriation act of the 2022 regular session of the legislature to determine if the above

agency has moneys to expend from such fund or funds for a holocaust memorial: *Provided further*, That if the above agency determines such moneys are available for such expenditures from such fund or funds, such agency shall certify the amount of moneys to be expended on such memorial and identify the fund or funds and shall transmit a copy of such certification to the director of accounts and reports: *And provided further*, That on the effective date of such certification, the amount appropriated for the above agency for the fiscal year ending June 30, 2023, by this subsection from the state economic development initiatives fund in the holocaust memorial account is hereby lapsed: *And provided further*, That upon receipt of such certification, the director of accounts and reports shall transmit a notification of such certification to the director of legislative research and the director of the budget.

(f) Expenditures shall be made from the American rescue plan – state fiscal relief federal fund (252-00-3756) for the fiscal year ending June 30, 2023, pursuant to the authority in 42 U.S.C. § 802(c)(1) or other relevant authority, to provide government services, for the following specified purposes:

Ag production economic  
 development infrastructure.....\$35,000,000

*Provided*, That expenditures from the ag production economic development infrastructure account shall be used by the above agency for the purpose of infrastructure for an agricultural production facility in a Kansas county with a population greater than 34,000 and less than 35,000 as of the 2020 census that will create over 200 jobs, include over \$400,000,000 in capital investment and attract additional estimated local development and jobs.

University of Kansas and Wichita state  
 university health sciences.....\$25,000,000

*Provided*, That expenditures from the university of Kansas and Wichita state university health sciences account shall be used by the above agency for the purpose of funding the development of a health sciences education center in Wichita to consolidate and align the health-related educational, biomedical research, healthcare delivery and population health activities of the university of Kansas and Wichita state university.

Moderate income housing expansion.....\$20,000,000

*Provided*, That expenditures from the moderate income housing expansion account shall be used by the above agency for the purpose of funding grants or loans that may be awarded to cities and counties to develop multi-family rental units and single-family for-purchase homes in communities with populations fewer than 60,000 people.

University of Kansas economic development.....\$35,000,000

*Provided*, That the expenditures from the university of Kansas economic development account shall be used by the above agency for the purpose of supplementing private donations, public-private partnerships and revenues to fund strategic initiative projects at the university of Kansas that develop and strengthen local and national partnerships.

Kansas state university agriculture innovation.....\$25,000,000

*Provided*, That the expenditures from the Kansas state university agriculture innovation account shall be used by the above agency for the purpose of funding projects at Kansas state university that address current and emerging problems in the biosciences field, advance countermeasures for disease, drive economic revitalization and provide training.

University challenge grant funding projects.....\$75,000,000

*Provided*, That expenditures shall be made from the university challenge grant funding projects account to state educational institutions as defined in K.S.A. 76-711, and amendments thereto, upon written application by the chief executive officer of the institution to the governor and approval of such application at the discretion of the governor: *Provided further*, That each application for award by such state educational institution shall: (1) Be projects that attract and recruit students and aid in the retention of such students; and (2) build the state work force through increased enrollment: *And provided further*, That applications shall be submitted to the governor on or before March 1, 2023: *And provided further*, That the grant recipients shall be notified on or before June 30, 2023: *And provided further*, That expenditures from this account for university challenge grant funding projects shall be made only upon certification by the chief executive officer of such institution to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$3 of private moneys to \$1 of state moneys basis.

Business closure rebates .....\$50,000,000

*Provided*, That expenditures from the business closure rebates account shall be used by the above agency for the purpose of funding payments to businesses shut down or restricted as a result of certain governmental actions related to contagious or infectious disease in humans: *Provided further*, That the maximum amount of a rebate that may be claimed by a claimant pursuant to this subsection shall be \$5,000: *And provided further*, That as used in this subsection, "claimant" means a for-profit business, regardless of legal structure, who has filed for a rebate under the provisions of this subsection and who: (A) Conducts a majority of its retail sales through customers' physical, on-site presence at a retail storefront property; (B) was in operation on or prior to July 1, 2019, and filed a 2019 tax return; (C) had at least \$10,000 in annual revenues, including gross sales and receipts, in 2019; (D) received less gross revenue in 2020 or 2021, as applicable, compared to 2019; (E) was in active operations as of March 1, 2020; and (F) has not received more than a total of \$150,000 in prior COVID-19-related local, state or federal funding or any combination thereof.

Cloud county CC project grant.....\$4,000,000

*Provided*, That all moneys in the Cloud county CC project grant account shall be for building a technical education and innovation center to house academic programs of renewable energy, nursing and allied health, agriculture and industrial technology to meet workforce needs: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Cowley county CC project grant.....\$4,000,000

*Provided*, That all moneys in the Cowley county CC project grant account shall be



for building a career and technical education facility in Arkansas city to expand carpentry and construction trades, welding, electromechanical maintenance and other high-wage, high-demand programs: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Fort Scott CC project grant.....\$800,103

*Provided*, That all moneys from the Fort Scott CC project grant account shall be for establishing a training program for heavy equipment operators in partnership with industry to serve multiple southeast Kansas counties and school districts to meet the workforce shortage in such industry: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Garden City CC project grant.....\$1,499,913

*Provided*, That all moneys in the Garden City CC project grant account shall be for expanding a facility to increase agricultural technology, farm equipment mechanic, industrial machinery mechanic and welding programs to serve more students and meet local industry workforce demands: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Highland CC project grant.....\$425,375

*Provided*, That all moneys in the Highland CC project grant account shall be for expanding the welding program in Atchison and purchasing equipment for computer support specialist and other high-wage high-demand information technology programs in the highland CC service area: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Hutchinson CC project grant.....\$999,786

*Provided*, That all moneys in the Hutchinson CC project grant account shall be for expanding facilities to allow for additional lab space for use by 20 additional registered nursing education students to meet a healthcare workforce shortage: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1- for-\$1 basis from either the college or private industry partner.

Johnson county CC project grant.....\$2,538,502

*Provided*, That all moneys in the Johnson county CC project grant account shall be for expanding the class A commercial driver's license program to meet supply chain and logistics workforce shortages and offer additional courses for students during the day, night and weekends: *Provided further*, That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Kansas City Kansas CC project grant.....\$12,000,000

*Provided*, That all moneys in the Kansas City Kansas CC project grant account shall

be for the construction and equipment of the Kansas City, Kansas community, education, health and wellness center that will be an education, workforce, behavioral and physical health center to house programs that do not currently exist in downtown Kansas City, Kansas and provide high-wage, high-demand training in various industries: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Neosho county CC project grant.....\$1,498,987

*Provided*, That all moneys in the Neosho county CC project grant account shall be for expanding the technical education center to provide various technical education programs including healthcare, aerostructures, electrical technology and industrial maintenance technology programs: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Pratt CC project grant.....\$788,445

*Provided*, That all moneys in the Pratt CC project grant account shall be for expanding the welding program to serve more students, purchase additional robotic welding and technology equipment: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Community colleges, technical colleges and

Washburn project grant.....\$10,000,000

*Provided*, That the expenditures from the community colleges, technical colleges and Washburn project grant account shall be used by the above agency for the purpose of funding projects at community colleges, technical colleges and Washburn university: *Provided however*; That any community college receiving a grant from the American rescue plan – state fiscal relief federal fund pursuant to this section shall not be eligible to apply for a grant from this account: *Provided further*; That all expenditures from such account shall require a local grant match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either the college or private industry partner.

Private and independent college project grant.....\$10,000,000

*Provided*, That expenditures from the private and independent college project grant account shall be used by the above agency for the purpose of funding projects at private and independent colleges that have a physical presence in Kansas: *Provided further*; That expenditures from this account for such projects shall be made only upon certification by the chief executive officer of such institution to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$3 of private moneys to \$1 of state moneys basis: *Provided however*; That such private money matches shall not be existing college funds and shall be new moneys.

Sec. 29.

GOVERNOR'S DEPARTMENT

- (a) Any unencumbered balance in the university challenge grant funding projects

account of the American rescue plan – state fiscal relief federal fund (252-00-3756) of the governor's department in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *Provided*, That expenditures shall be made from such account to state educational institution grant recipients notified in fiscal year 2023 and certified, on or before December 31, 2023, by the chief executive officer of such institution to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$3 of private moneys to \$1 of state moneys basis.

Sec. 30.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$464,282 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 38(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the office of inspector general account (082-00-1000-0300), the sum of \$211,384 is hereby lapsed.

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$235,000 from the scrap metal theft reduction fee fund (082-00-2085-2100) of the attorney general to the state general fund.

Sec. 31.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (082-00-1000-0103).....\$4,568,111

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040).....\$78,000

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$349,999

*Provided*, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400).....\$67,500

Child exchange and

visitation centers (082-00-1000-0450).....\$115,200

*Provided*, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$519,000

Office of inspector general (082-00-1000-0300).....\$618,920

*Provided*, That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029).....No limit

Court cost fund (082-00-2012-2000).....No limit

Bond transcript review  
fee fund (082-00-2254-2300).....No limit

Conversion of materials and  
equipment fund (082-00-2405-2040).....No limit

Attorney general's antitrust special  
revenue fund (082-00-2506-2050).....No limit

Private gifts fund (082-00-7300-7000).....No limit

Medicaid fraud  
reimbursement fund (082-00-9034-9040).....No limit

Medicaid fraud control unit (082-00-3060-3080).....No limit

Attorney general's antitrust  
suspense fund (082-00-9002-9000).....No limit

Attorney general's consumer protection  
clearing fund (082-00-9003-9010).....No limit

Attorney general's committee on crime  
prevention fee fund (082-00-2113-2090).....No limit

*Provided*, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars

shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund (082-00-2613-2080).....No limit

Crime victims

    compensation fund (082-00-2563-2060).....No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$536,550; *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund (082-00-2598-2070).....No limit

Protection from abuse fund (082-00-2239-2030) .....No limit

Crime victims grants and

    gifts fund (082-00-7340-7010).....No limit

*Provided*, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer

    intervention program

    certification fund (082-00-2103-2103).....No limit

Debt collection administration cost

    recovery fund (082-00-2305-2240).....No limit

*Provided*, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution

    revolving fund (082-00-2641-2280).....No limit

*Provided*, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund; *Provided further*; That, notwithstanding the provisions of K.S.A. 2021 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water

    litigation fund (082-00-2311-2295).....No limit

*Provided*, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund

for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....	No limit
Children's advocacy center fund (082-00-2654-2610).....	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund (082-00-2482-2500).....	No limit
Concealed weapon licensure fund (082-00-2450-2400).....	No limit
Tobacco master settlement agreement compliance fund (082-00-2383-2320).....	No limit
Sexually violent predator expense fund (082-00-2379-2310).....	No limit
County law enforcement equipment fund (082-00-2470-2470).....	No limit
Child exchange and visiting centers fund (082-00-2579-2250).....	No limit
Roofing contractor registration fund (082-00-2774-2774).....	No limit
State medicaid fraud control unit – federal fund (082-00-3060-3060).....	No limit
Com def sol – violence against women federal fund (082-00-3082-3082).....	No limit
Crime victims compensation federal fund (082-00-3133-3020).....	No limit
Ed Byrne state/local law enforcement federal fund (082-00-3213-3213).....	No limit
Violence against women – ARRA federal fund (082-00-3214-3212).....	No limit
Comm prsct/project safe neighborhood federal fund (082-00-3217-3217).....	No limit
Public safety prtnt/comm pol fund (082-00-3218-3218).....	No limit
Anti-gang initiative	

federal fund (082-00-3229-3229).....	No limit
Alcohol impaired driving cntmr	
federal fund (082-00-3247-3247).....	No limit
Children's justice grant	
federal fund (082-00-3381-3381).....	No limit
Sexual assault kit initiative	
federal fund (082-00-3416-3416).....	No limit
Ed Byrne memorial JAG – ARRA	
federal fund (082-00-3455-3455).....	No limit
Medicaid indirect cost	
federal fund (082-00-3919-3919).....	No limit
Federal forfeiture fund (082-00-3940-3940).....	No limit
SSA fraud prevention	
federal fund (082-00-2174-2175).....	No limit
False claims litigation	
revolving fund (082-00-2650-2600).....	No limit
<i>Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 75-7501 et seq., and amendments thereto.</i>	
Ed Byrne memorial justice assistance grant	
federal fund (082-00-3057-3057).....	No limit
911 state maintenance fund (082-00-2747-2447).....	No limit
DOT prohibit	
racial profiling (082-00-3566-3566).....	No limit
Human trafficking victim	
assistance fund (082-00-2775-2775).....	No limit
Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open	
government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction	
fee fund (082-00-2085-2100).....	No limit
Bail enforcement agents	
fee fund (082-00-2259-2259).....	No limit
Fraud and abuse criminal	
prosecution fund (082-00-2262-2262).....	No limit
Attorney general's state agency	
representation fund (082-00-6125-6125).....	No limit
State medicaid fraud forfeiture fund.....	No limit

Charitable organizations fee fund (082-00-2863-2863).....	No limit
Kansas fights addiction fund (082-00-2826-2826).....	No limit
Municipalities fight addiction fund (082-00-2838-2838).....	No limit
Coronavirus relief fund (082-00-3753-3753).....	No limit

(c) During the fiscal year ending June 30, 2023, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) During the fiscal year ending June 30, 2023, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state general fund for the attorney general to another item of appropriation for fiscal year 2023 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) Notwithstanding the provisions of any other statute, during the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from the tobacco master settlement agreement compliance fund (082-00-2383-2320), expenditures may be made by the above agency from such fund for the purposes of performing the powers, duties and functions pursuant to K.S.A. 75-772, and amendments thereto.

(f) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund (365-00-7000-2000) to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(g) Notwithstanding the provisions of K.S.A. 75-769, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, to set legal representation charges for state agencies at a rate exceeding \$100 per hour.

Sec. 32.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:



Cemetery and funeral audit fee fund (622-00-2225-2100).....	No limit
HAVA ELVIS fund (622-00-2353-2150).....	No limit
Conversion of materials and equipment fund (622-00-2418-2200).....	No limit
Information and services fee fund (622-00-2430-2300).....	No limit
<i>Provided</i> , That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,533.	
State register fee fund (622-00-2619-2500).....	No limit
Uniform commercial code fee fund (622-00-2664-2600).....	No limit
State flag and banner fund (622-00-5130-4600).....	No limit
Secretary of state fee refund fund (622-00-9047-9100).....	No limit
Electronic voting machine examination fund (622-00-9101-9200).....	No limit
Credit card clearing fund (622-00-9434-9400).....	No limit
Suspense fund (622-00-9046-9000).....	No limit
Prepaid services fund (622-00-9114-9300).....	No limit
Athlete agent registration fee fund (622-00-2674-2700).....	No limit
Democracy fund (622-00-2702-2400).....	No limit
<i>Provided</i> , That all expenditures from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.	
Technology communication fee fund (622-00-2672-2900).....	No limit
Help America vote act federal fund (622-00-3091).....	No limit
HAVA title I federal fund (622-00-3283-3283).....	No limit
HAVA election security fraud 2018 (622-00-3956-3956).....	No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2023 by the above agency by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-

103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2023 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On or before the 10<sup>th</sup> day of each month commencing July 1, 2022, during fiscal year 2023, the director of accounts and reports shall transfer from the state general fund to the democracy fund interest earnings based on:

(1) The average daily balance of moneys in the democracy fund for the preceding month; and

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

Sec. 33.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer  
operating fund (670-00-2374-2300).....\$1,890,376

*Provided*, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act during fiscal year 2023, the state treasurer is hereby authorized and directed to credit the first amount equal to the expenditure limitation approved by this or other appropriation act of the legislature received and deposited in the state treasury to the state treasurer operating fund: *Provided further*; Notwithstanding any provision of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, on June 30, 2023, the state treasurer shall certify any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000 to the director of accounts and reports, who shall transfer such certified amount from the state treasurer operating fund to the state general fund on June 30, 2023: *And provided further*; That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2023 shall be credited as prescribed under the uniform unclaimed property act: *And provided further*; That all moneys credited to the state treasurer operating fund during fiscal year 2023 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400).....No limit

Bond services fee fund (670-00-2061-2500).....No limit

City bond finance fund (670-00-7654).....	No limit
Local ad valorem tax reduction fund (670-00-7394-4800).....	No limit
County and city revenue sharing fund (670-00-7395-4900).....	No limit
Suspense fund (670-00-9054-9000).....	No limit
County and city retailers' sales tax fund (670-00-7608-6000).....	No limit
County and city compensating use tax fund (670-00-7667-6200).....	No limit
Local alcoholic liquor fund (670-00-7665-6100).....	No limit
Local alcoholic liquor equalization fund (670-00-7759-6500).....	No limit
Unclaimed property claims fund (670-00-7758-7700).....	No limit
Unclaimed property expense fund (670-00-2362-2200).....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient guest tax fund (670-00-7602-6600).....	No limit
Racing admissions tax fund (670-00-7670-6300).....	No limit
Rental motor vehicle excise tax fund (670-00-7681-6800).....	No limit
Transportation development district sales tax fund (670-00-7601-7000).....	No limit
Redevelopment bond fund (670-00-7683-6900).....	No limit
Special qualified industrial manufacturer fund (670-00-9525-9525).....	No limit
Kansas postsecondary education savings program trust fund (670-00-7241-7100).....	No limit
Kansas postsecondary education savings expense fund (670-00-2096-2000).....	No limit
Conversion of materials and equipment fund (670-00-2461-2700).....	No limit
Tax increment financing revenue replacement fund (670-00-7391-4700).....	No limit
Spirit bonds fund (670-00-9515-9515).....	No limit

*Provided*, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2023, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2023, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund (670-00-7684-7680).....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund (670-00-7685-7690).....	\$0
Community improvement district sales tax fund (670-00-7610-7650).....	No limit
Special economic revitalization fund (670-00-9520-9520).....	No limit
Bioscience development and investment fund (670-00-9510-9510).....	No limit
KS ABLE savings expense fund (670-00-2177-2177).....	No limit
Other federal grants fund (670-00-3878-3878).....	No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2023, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10%

of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund (206-00-2326-4000) of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund (682-00-2123-2170) of the university of Kansas: *And provided further*; That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*; That, whenever in fiscal year 2023 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2023, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

Sec. 34.

INSURANCE DEPARTMENT

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 43(a) of chapter 98 of the 2021 Session Laws of Kansas on the securities act fee fund (331-00-2162-0100) of the insurance department is hereby increased from \$3,416,292 to no limit.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State flexibility to stabilize the market grant  
 program fund (331-00-3648-3648).....No limit

Sec. 35.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund (331-00-2270-2400).....No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500.

Insurance company examination fund (331-00-2055-2000).....No limit

Insurance company annual statement examination fund (331-00-2056-2100).....No limit

Insurance company examiner training fund (331-00-2057-2200).....No limit

Workers compensation fund (331-00-7354-7000).....No limit

*Provided*, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund (331-00-7652-7130).....No limit

Insurance company tax and fee refund fund (331-00-9017-9100).....No limit

Group-funded workers' compensation pools fee fund (331-00-7374-7120).....No limit

Municipal group-funded pools fee fund (331-00-7356-7100).....No limit

Uninsurable health insurance plan fund (331-00-2328-2500).....No limit

Private grants and gifts fund (331-00-7301-7301).....No limit

Insurance education and training fund (331-00-2367-2600).....No limit

*Provided*, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such

training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund (331-00-7360-7360).....No limit

*Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund (331-00-2351-2510).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2023 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund (331-00-2523-2520).....No limit

*Provided*, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Professional employer organization fee fund (331-00-2678-2678).....No limit

Pharmacy benefits manager registration fund (331-00-2665-2665).....No limit

Securities act fee fund (331-00-2162-0100).....No limit

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$2,000.

Investor education and protection fund (331-00-2242-2240).....No limit

*Provided*, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$5,000.

Captive insurance regulatory and supervision fund (331-00-2309-2309).....No limit

State flexibility to stabilize the market grant program fund (331-00-3648-3648).....No limit

Coronavirus relief fund (331-00-3753-3753).....No limit

(b) In addition to the other purposes for which expenditures may be made by the

insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2023 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2023 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

Sec. 36.

HEALTH CARE STABILIZATION  
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Conference fee fund (270-00-2453-2453).....No limit
- Health care stabilization fund (270-00-7404-2000).....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2023, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

- Operating expenditures (270-00-7404-2100).....No limit

*Provided*, That expenditures may be made from the operating expenditures account for official hospitality.

- Legal services and other
  - claims expenses (270-00-7404-2300).....No limit
- Claims and benefits (270-00-7404-2400).....No limit

Sec. 37.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Municipal investment
  - pool fund (671-00-7537-7000).....No limit
- Pooled money investment portfolio
  - fee fund (671-00-2319-2000).....No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending



June 30, 2023, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2023, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 38.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund (349-00-2127-2100).....No limit
- Grants and gifts fund (349-00-7326-7000).....No limit

*Provided*, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

- Publications fee fund (349-00-2297-2000).....No limit
- Coronavirus relief fund (349-00-3753-3772).....No limit

Sec. 39.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$2,760,665 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the litigation support account (328-00-1000-0510), the sum of \$786,337 is hereby lapsed.

(b) On the effective date of this act, of the \$13,239,335 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account (328-00-1000-0700), the sum of \$3,801,559 is hereby lapsed.

(c) On the effective date of this act, of the \$18,057,609 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (328-00-1000-0603), the sum of \$46,967 is hereby lapsed.

(d) On the effective date of this act, of the \$3,104,114 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 48(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the capital defense operations account (328-00-1000-0800), the sum of \$4,645 is hereby lapsed.

Sec. 40.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (328-00-1000-0603).....\$22,112,262

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*; That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*; That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700).....\$17,741,473

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered: *And provided further*; That, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account for fiscal year 2023 to set the maximum rate of compensation of assigned counsel in fiscal year 2023 at \$120 per hour.

Capital defense operations (328-00-1000-0800).....\$3,099,512

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the capital defense operations account is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners (328-00-1000-0500).....\$289,592

Indigents' defense services operations (328-00-1000-0610).....\$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510).....\$2,327,691

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training  
grant fund (328-00-3211-3211).....No limit

Indigents' defense  
services fund (328-00-2119-2000).....No limit

*Provided*, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop  
fee fund (328-00-2186-2100).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*; That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2023, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2023 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the state board of indigents' defense services from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this act or other appropriation act of the 2022 regular session of the

legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 to classify public defenders based on the level of cases such public defenders are assigned.

Sec. 41.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$114,356,817 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 50(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the judiciary operations account (677-00-1000), the sum of \$252,966 is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Ed Byrne memorial justice assistance grant fund (677-00-3057).....No limit

Sec. 42.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Judiciary operations (677-00-1000).....\$148,296,991

*Provided*, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*; That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*; That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*; That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund (677-00-2106-2000).....No limit

State and community highway safety – federal fund (677-00-3815-3815).....No limit

Dispute resolution fund (677-00-2126-3500).....	No limit
Judicial branch	
education fund (677-00-2324-1900).....	No limit
<p><i>Provided</i>, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: <i>Provided further</i>, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: <i>And provided further</i>, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: <i>And provided further</i>, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.</p>	
Child welfare federal	
grant fund (677-00-3942-3300).....	No limit
Child support enforcement contractual	
agreement fund (677-00-2681-2400).....	No limit
SJI grant fund (677-00-2714-2714).....	No limit
Bar admission fee fund (677-00-2724-2500).....	No limit
Permanent families account – family and children	
investment fund (677-00-7317-7000).....	No limit
Duplicate law book fund (677-00-2543-2300).....	No limit
Court reporter fund (677-00-2725-2600).....	No limit
Judicial branch nonjudicial salary	
initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary	
adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100).....	No limit
District magistrate judge supplemental	
compensation fund (677-00-2398-2390).....	No limit
Correctional supervision	
fund (677-00-2465-2465).....	No limit
Violence against women grant fund –	
ARRA (677-00-3214-3214).....	No limit
Judicial branch docket	
fee fund (677-00-2158-2158).....	No limit

Electronic filing and management fund (677-00-2791-2791).....	No limit
Coronavirus emergency supplemental fund (677-00-3671-3671).....	No limit
Coronavirus relief fund (677-00-3753).....	No limit
Ed Byrne memorial justice assistance grant fund (677-00-3057).....	No limit

Sec. 43.

KANSAS PUBLIC EMPLOYEES  
RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund (365-00-7002-7000).....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Kansas public employees deferred compensation fees fund (365-00-2376).....	No limit
Group insurance reserve fund (365-00-7358-9200).....	No limit
Optional death benefit plan reserve fund (365-00-7357-9100).....	No limit
Kansas endowment for youth fund (365-00-7000-2000).....	No limit
Senior services trust fund (365-00-7550-7600).....	No limit
Family and children endowment account – family and children investment fund (365-00-7010-4000).....	No limit
Non-retirement administration fund (365-00-2277).....	No limit

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2023, for the following specified purposes:

Agency operations (365-00-7002-7400).....	\$25,193,171
<i>Provided</i> , That expenditures from the agency operations account may be made for official hospitality.	
Investment-related expenses (365-00-7002-8000).....	No limit

(c) On July 1, 2022, notwithstanding the provisions of K.S.A. 38-2102, and

amendments thereto, the amount prescribed by K.S.A. 38-2102(d)(4), and amendments thereto, to be transferred on July 1, 2022, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$52,254,520.

(d) Notwithstanding the provisions of K.S.A. 74-4911, 74-4992 and 74-4995, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds of the above agency for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to allow any member of the legislature who did not make an election to participate in the Kansas public employees retirement system to elect to become a member of the Kansas public employees retirement system: *Provided*, That such election to become a member shall be completed prior to the beginning of the 2023 regular session of the legislature: *Provided further*; That such member of the legislature shall also make the election required by K.S.A. 74-4995, and amendments thereto, related to the rate of compensation at which such member shall participate for the purposes of K.S.A. 74-4991 et seq., and amendments thereto: *And provided further*; That all elections made under this subsection shall be irrevocable.

Sec. 44.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,036,042 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 52(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (058-00-1000-0103), the sum of \$1,587 is hereby lapsed.

Sec. 45.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (058-00-1000-0103).....\$1,036,106

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*; That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

- State and local fair employment practices –  
federal fund (058-00-3016-3000).....No limit
- Conversion of materials and  
equipment fund (058-00-2404-1300).....No limit
- Education and training fund (058-00-2282-2000).....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission’s education and training programs for the general public, including official hospitality: *Provided further*; That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 46.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Public service  
regulation fund (143-00-2019-0100).....No limit
- Motor carrier license  
fees fund (143-00-2812-5500).....No limit
- Conservation fee fund (143-00-2130-2000).....No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*; That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*; That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund (173-00-6105-4010) of the department of administration for services rendered in collection efforts: *And provided further*; That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*; That the state corporation commission shall include as part of the fiscal year 2023 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2023, 2024 and 2025.

Natural gas underground storage



fee fund (143-00-2181-2120).....	No limit
Gas pipeline inspection fee fund (143-00-2023-1100).....	No limit
Special one-call – federal fund (143-00-3477-3477).....	No limit
Abandoned oil and gas well fund (143-00-2143-2100).....	No limit
Gas pipeline safety program – federal fund (143-00-3632-3000).....	No limit
Underground injection control class II – federal fund (143-00-3768-3700).....	No limit
One call – federal fund (143-00-3633-3120).....	No limit
Inservice education workshop fee fund (143-00-2316-2300).....	No limit
<i>Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: Provided further, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: And provided further, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.</i>	
Unified carrier registration clearing fund (143-00-9062-9100).....	No limit
Credit card clearing fund (143-00-9401-9400).....	No limit
Suspense fund (143-00-9007-9000).....	No limit
Facility conservation improvement program fund (000-00-2432-2400).....	No limit
Energy grants management fund (000-00-2667-4000).....	No limit
Energy conservation plan – federal fund (000-00-3682-3500).....	No limit
Energy efficiency revolving loan program – ARRA federal fund (000-00-3161-3160).....	No limit

*Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission*

or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons, as may be necessary, to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(b) Expenditures for the fiscal year ending June 30, 2023, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2023 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Expenditures for the fiscal year ending June 30, 2023, by the state corporation commission from the public service regulation fund (143-00-2019-0100) for official hospitality shall not exceed \$2,030.

(e) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments

thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(f) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

Sec. 47.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$1,197,623

(b) During the fiscal year ending June 30, 2023, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2023 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2022 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2022, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2022 may be expended from the utility regulatory fee fund for fiscal year 2023 pursuant to contracts for professional services and any such expenditure for fiscal year 2023 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2023.

Sec. 48.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Office of the public advocates (173-00-1000).....\$200,000

(b) On the effective date of this act, of the \$4,445,476 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 56(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (173-00-1000-0200) the sum of \$10,293 is hereby lapsed.

(c) On the effective date of this act, of the \$1,615,339 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 56(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the budget analysis account

(173-00-1000-0520), the sum of \$3,826 is hereby lapsed.

(d) On the effective date of this act, of the \$264,919 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 56(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the long-term care ombudsman account (173-00-1000-0580), the sum of \$560 is hereby lapsed.

(e) On the effective date of this act, of the \$28,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 28(a) of chapter 116 of the 2021 Session Laws of Kansas from the state general fund in the KPERS bonds debt service account (173-00-1000-0440), the sum of \$4,570,203 is hereby lapsed.

(f) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care  
program fund (173-00-2556-2550).....No limit

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 56(c) of chapter 98 of the 2021 Session Laws of Kansas on the health benefits administration clearing fund – remit admin service org (173-00-7746-7746) for salaries and wages and other operating expenditures of the department of administration is hereby increased from \$11,215,900 to \$14,065,900.

(h) On the effective date of this act, the director of accounts and reports shall transfer \$500,000,000 from the state general fund to the budget stabilization fund (173-00-1600-1600).

Sec. 49.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (173-00-1000-0200).....\$4,439,119

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520).....\$1,611,661

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments

thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Gubernatorial transition (173-00-1000).....\$150,000  
 Cedar crest transition reimbursement (173-00-1000).....\$15,000

*Provided*, That expenditures shall be made from the cedar crest transition reimbursement account to reimburse the friends of cedar crest association for gubernatorial transition-related expenses.

Office of public advocates (173-00-1000).....\$989,628

*Provided*, That any unencumbered balance in the office of public advocates account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$88,180,029

Any unencumbered balance in the following account as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Long-term care ombudsman (173-00-1000-0580).

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2023, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,110,453

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Department of administration  
 audit services fund (173-00-2819-2819).....No limit  
 Budget stabilization fund (173-00-1600-1600).....\$0  
 Federal cash  
 management fund (173-00-2001-2200).....No limit  
 State leave payment  
 reserve fund (173-00-7730-7350).....No limit  
 Building and ground fund (173-00-2028-2000).....No limit  
 General fees fund (173-00-2197-2020).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred,

including official hospitality: *And provided further*, That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost  
recovery fund (173-00-6103-5700).....No limit

Budget fees fund (173-00-2191-2100).....No limit

*Provided*, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund (173-00-2017-2130).....No limit

*Provided*, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*; That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services  
fee fund (173-00-2075-2110).....No limit

*Provided*, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*; That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment

conversion fund (173-00-2434-2090).....	No limit
Conversion of materials and equipment fund (173-00-2408-2030).....	No limit
Architectural services equipment conversion fund (173-00-2401-2170).....	No limit
Property contingency fund (173-00-2640-2060).....	No limit
Flood control emergency – federal fund (173-00-3024-3020).....	No limit
INK special revenue fund (173-00-2764-2702).....	No limit
State buildings operating fund (173-00-6148-4100).....	No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*; That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*; That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund (173-00-2028-2000), as determined and directed by the secretary of administration: *And provided further*; That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by K.S.A. 75-37,123(a), and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county, including both state-owned and privately owned buildings: *And provided further*; That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund (173-00-6105-4010).....	No limit
--	----------

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration that are not specifically authorized by any other statute:

*And provided further,* That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services  
recovery fund (173-00-6151-5500).....No limit

*Provided,* That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further,* That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further,* That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020).....No limit

Intragovernmental printing  
service fund (173-00-6165-9800).....No limit

Intragovernmental printing service depreciation  
reserve fund (173-00-6167-9810).....No limit

Municipal accounting and training services  
recovery fund (173-00-2033-1850).....No limit

*Provided,* That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further,* That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further,* That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further,* That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants  
payment fund (173-00-2645-2070).....No limit

State emergency fund (173-00-2581-2150).....No limit

Bid and contract  
deposit fund (173-00-7609-7060).....No limit

Federal withholding tax  
clearing fund (173-00-7701-7080).....No limit

Financial management system  
development fund (173-00-6135-6130).....No limit

*Provided,* That the secretary of administration may establish fees and make special



assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

State gaming revenues fund (173-00-9011-9100).....	No limit
Financial management system development fund – on budget (173-00-2689-2689).....	No limit
Construction defects recovery fund (173-00-2632-2615).....	No limit
Facilities conservation improvement fund (173-00-8745-4912).....	No limit
State revolving fund services fee fund (173-00-2038-2700).....	No limit
Conversion of materials and equipment – recycling program fund (173-00-2435-2031).....	No limit
Curtis office building maintenance reserve fund (173-00-2010-2190).....	No limit
Equipment lease purchase program administration clearing fund (173-00-8701-8000).....	No limit
Suspense fund (173-00-9075-9220).....	No limit
Electronic funds transfer suspense fund (173-00-9175-9490).....	No limit
Surplus property program fund – on budget (173-00-2323-2300).....	No limit
Surplus property program fund – off budget (173-00-6150-6150).....	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287).....	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).....	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280).....	No limit
CRRSA 2021 LTC ombudsman fund (173-00-3680).....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414).....	No limit

Wireless enhanced 911 grant fund (173-00-2577-2570).....No limit

Bioscience development fund (173-00-2765-2703).....No limit

Dwight D Eisenhower statue fund (173-00-7243-7243).....No limit

Digital imaging program fund (173-00-6121-6121).....No limit

*Provided*, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.

Preventive healthcare program fund (173-00-2556-2550).....No limit

Cafeteria benefits fund (173-00-7720-7723).....No limit

State workers compensation self-insurance fund (173-00-6170-6170).....No limit

*Provided*, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2023, for salaries and wages and other operating expenditures shall not exceed \$4,709,909.

Dependent care assistance program fund (173-00-7740-7799).....No limit

*Provided*, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2023, for salaries and wages and other operating expenditures shall not exceed \$257,284.

Non-state employer group benefit fund (173-00-7707-7710).....No limit

Health benefits administration clearing fund – remit admin service org (173-00-7746-7746).....No limit

*Provided*, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2023, for salaries and wages and other operating expenditures shall not exceed \$14,173,400.

Health insurance premium reserve fund (173-00-7350-7350).....No limit

Coronavirus relief fund (173-00-3753).....No limit

(d) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2023, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products,

which may be purchased by such employees: *Provided, however,* That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided,* That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further,* That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2022, the director of accounts and reports shall transfer \$210,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2023, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2023 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided,* That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2022, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 75% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2023. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2023 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2023, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal

year 2023.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2022, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2023. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2023 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2023, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2023.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) During the fiscal year ending June 30, 2023, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state general fund for the department of administration to another item of appropriation for fiscal year 2023 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, the following:

SIBF – state  
building insurance (173-00-8100-8920).....\$325,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building

insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2023, the following:

CIBF – state  
building insurance (173-00-8600-8930).....\$400,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(m) On July 1, 2022, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2023 shall be equal to and shall not exceed the older Americans act title VII: ombudsman award and 4.38% of the Kansas older Americans act title III: part B supportive services award.

(n) (1) (A) Prior to August 15, 2022, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2022, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection, the appropriation for fiscal year 2023 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2023, by

this or other appropriation act of the 2022 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection.

(2) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the regents agencies for fiscal year 2023.

(3) As used in this subsection, "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, the university of Kansas, the university of Kansas medical center and Wichita state university.

(4) The provisions of this subsection shall not apply to:

(A) Any money held in trust in a trust fund or held in trust in any other special revenue fund or funds of any regents agency;

(B) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection;

(C) any account of the Kansas educational building fund; or

(D) any fund of any regents agency in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(5) Each amount transferred from any special revenue fund of any regents agency to the state general fund pursuant to this subsection is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the regents agency involved by other state agencies that receive appropriations from the state general fund to provide such services.

(o) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2023, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services

and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*; That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) (1) On July 1, 2022, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget that shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2023. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2023 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2023, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2023.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(q) (1) On July 1, 2022, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2023, except that such amount shall be proportionally adjusted during fiscal year 2023 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2023. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2022 and fiscal year 2023 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2023 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2023, the director of accounts and reports shall adjust the amounts

debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2023.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (r) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(r) (1) On July 1, 2022, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2023, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2023 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2023, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2023.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (q) for the children's initiatives fund to account for moneys actually received that are to be



transferred and credited to the children's initiatives fund.

(s) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$500,000 from the state general fund to the digital imaging program fund (173-00-6121-6121) of the department of administration.

Sec. 50.

OFFICE OF INFORMATION  
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Rehabilitation and repair (335-00-1000-0050).....\$4,250,000

*Provided*, That any unencumbered balance in the rehabilitation and repair account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

*Provided*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology  
reserve fund (335-00-6147-4080).....No limit

Public safety broadband  
services fund (335-00-2125-2125).....No limit

GIS contracting  
services fund (335-00-2163-2163).....No limit

GIS contracting  
services fund (335-00-6009-6009).....No limit

State and local implementation grant –  
federal fund (335-00-3576-3576).....No limit

Coronavirus relief fund (335-00-3753-3772).....No limit

Sec. 51.

KANSAS INFORMATION SECURITY OFFICE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

*Provided*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund (335-00-6147-4080).....No limit

Sec. 52.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2022, by section 61(a) of chapter 98 of the 2021 Session Laws of Kansas on the administrative hearings office fund (178-00-2582-2584) of the office of administrative hearings is hereby increased from \$20 to \$50.

Sec. 53.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund (178-00-2582).....No limit

*Provided*, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$50.

Sec. 54.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (562-00-1000-0103).....\$42,999

Sec. 55.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (562-00-1000-0103).....\$873,554

*Provided*, That any unencumbered balance in the operating expenditures account in

excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200).....	\$3,000
BOTA filing fee fund (562-00-2240-2240).....	\$1,132,162

Sec. 56.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$14,443,154 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 65(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures accounts (565-00-1000-0303), the sum of \$26,011 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 65(b) of chapter 98 of the 2021 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby decreased from \$50,832,862 to \$50,436,214.

Sec. 57.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (565-00-1000-0303).....	\$14,800,540
--	--------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022 is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund (565-00-2087-2010).....	No limit
Division of vehicles operating fund (565-00-2089-2020).....	\$51,031,404

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the

legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2023: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers  
fee fund (565-00-2189-2030).....No limit

Kansas qualified agricultural ethyl alcohol  
producer incentive fund (565-00-2215).....No limit

Division of vehicles  
modernization fund (565-00-2390-2390).....No limit

Kansas retail dealer  
incentive fund (565-00-2387-2380).....No limit

Conversion of materials and  
equipment fund (565-00-2417-2050).....No limit

Forfeited property fee fund (565-00-2428-2200).....No limit

Setoff services revenue fund (565-00-2617-2080).....No limit

Publications fee fund (565-00-2663-2090).....No limit

Child support enforcement contractual  
agreement fund (565-00-2683-2110).....No limit

County treasurers' vehicle licensing  
fee fund (565-00-2687-2120).....No limit

Tax amnesty recovery fund (565-00-2462-2462).....No limit

Reappraisal  
reimbursement fund (565-00-2693-2130).....No limit

*Provided*, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state board of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund (565-00-2016-2000).....No limit

*Provided*, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the

state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions  
and attorney fees (565-00-2021-2060).....No limit

Commercial vehicle information systems/network  
federal fund (565-00-3244-3244).....No limit

Highway planning construction  
federal fund (565-00-3333-3333).....No limit

State and community highway  
safety fund (565-00-3815-3815).....No limit

Microfilming fund (565-00-2281-2270).....No limit

*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust  
bonds fund (565-00-7556-5180).....No limit

Liquor excise tax guarantee  
bond fund (565-00-7604-5190).....No limit

Non-resident contractors cash  
bond fund (565-00-7605-5200).....No limit

Bond guaranty fund (565-00-7606-5210).....No limit

Interstate motor fuel user cash  
bond fund (565-00-7616-5220).....No limit

Motor fuel distributor cash  
bond fund (565-00-7617-5230).....No limit

Special county mineral production  
tax fund (565-00-7668-5280).....No limit

County drug tax fund (565-00-7680-5310).....No limit

Escheat proceeds  
suspense fund (565-00-7753-5290).....No limit

Privilege tax refund fund (565-00-9031-9300).....No limit

Suspense fund (565-00-9032-9310).....No limit

Cigarette tax refund fund (565-00-9033-9330).....No limit

Motor-vehicle fuel tax  
refund fund (565-00-9035-9350).....No limit

Cereal malt beverage tax  
refund fund (565-00-9036-9360).....No limit

Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax refund fund (565-00-9040-9390).....	No limit
Alcoholic liquor tax refund fund (565-00-9041-9400).....	No limit
Cigarette/tobacco products regulation fund (565-00-2294-2190).....	No limit
Motor carrier tax refund fund (565-00-9042-9410).....	No limit
Car company tax fund (565-00-9043-9420).....	No limit
Protested motor carrier taxes fund (565-00-9044-9430).....	No limit
Tobacco products refund fund (565-00-9045-9440).....	No limit
Transient guest tax refund fund (established by K.S.A. 12-1694a) (565-00-9066-9450).....	No limit
Interstate motor fuel taxes clearing fund (565-00-9070-9710).....	No limit
Motor carrier permits escrow clearing fund (565-00-7581-5400).....	No limit
Transient guest tax refund fund (established by K.S.A. 12-16,100) (565-00-9074-9480).....	No limit
Interstate motor fuel taxes refund fund (565-00-9069-9010).....	No limit
Interfund clearing fund (565-00-9096-9510).....	No limit
Local alcoholic liquor clearing fund (565-00-9100-9700).....	No limit
International registration plan distribution clearing fund (565-00-9103-9520).....	No limit
Rental motor vehicle excise tax refund fund (565-00-9106-9730).....	No limit
International fuel tax agreement clearing fund (565-00-9072-9015).....	No limit
Mineral production tax refund fund (565-00-9121-9540).....	No limit
Special fuels tax refund fund (565-00-9122-9550).....	No limit
LP-gas motor fuels	

refund fund (565-00-9123-9560).....	No limit
Local alcoholic liquor	
refund fund (565-00-9124-9570).....	No limit
Sales tax clearing fund (565-00-9148-9580).....	No limit
Rental motor vehicle excise tax	
clearing fund (565-00-9187-9640).....	No limit
VIPS/CAMA technology	
hardware fund (565-00-2244-2170).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.</i>	
County and city retailers sales tax clearing fund – county	
and city sales tax (565-00-9190-9610).....	No limit
City and county compensating use tax	
clearing fund (565-00-9191-9620).....	No limit
County and city transient guest tax	
clearing fund (565-00-9192-9630).....	No limit
Automated tax systems fund (565-00-2265-2265).....	No limit
Dyed diesel fuel fee fund (565-00-2286-2280).....	No limit
Electronic databases fee fund (565-00-2287-2180).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.</i>	
Photo fee fund (565-00-2084-2140).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 2021 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.</i>	
Estate tax abatement	
refund fund (565-00-9082-9501).....	No limit

Distinctive license plate fund (565-00-2232-2230).....	No limit
Repossessed certificates of title fee fund (565-00-2015-2070).....	No limit
Hazmat fee fund (565-00-2365-2300).....	No limit
Intra-governmental service fund (565-00-6132-6101).....	No limit
Community improvement district sales tax administration fund (565-00-7675-5300).....	No limit
Community improvement district sales tax refund fund (565-00-9049-9455).....	No limit
Community improvement district sales tax clearing fund (565-00-9189-9655).....	No limit
Drivers license first responders indicator federal fund (565-00-3179-3179).....	No limit
Enforcing underage drinking federal fund (565-00-3219-3219).....	No limit
FDA tobacco program federal fund (565-00-3330-3330).....	No limit
Commercial vehicle administrative system fund (565-00-2098-2098).....	No limit
State charitable gaming regulation fund (565-00-2381-2385).....	No limit
Charitable gaming refund fund (565-00-9001-9001).....	No limit
Commercial driver's license drive test fee fund (565-00-2816-2816).....	No limit
DUI-IID designation fund (565-00-2380-2370).....	No limit
MSA compliance fund (565-00-2274-2274).....	No limit
Alcoholic beverage control modernization fund (565-00-2299-2299).....	No limit
Native American veterans' income tax refund fund.....	No limit
Fleet rental vehicle administration fund (565-00-2799-2799).....	No limit
Fleet rental vehicle clearing fund (565-00-9089-9089).....	No limit
Taxpayer notification costs fund (565-00-2852-2852).....	No limit

(c) On July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, the director of accounts and reports shall transfer \$12,325,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles



operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2022, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(f) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,200,000 from the Kansas endowment for youth fund (365-00-7000-2000) to the MSA compliance fund (565-00-2274-2274) of the department of revenue.

(g) During the fiscal year ending June 30, 2023, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session, to apply the provisions of K.S.A. 79-3603(k), and amendments thereto, on or after July 7, 2018, to an internet-based subscription service providing subscriber access only to a content library.

Sec. 58.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund (450-00-7381).....	No limit
Lottery operating fund (450-00-5123).....	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund (450-00-5128).....	No limit
Lottery gaming facility manager fund (450-00-5129-5150).....	No limit
Expanded lottery act revenues fund (450-00-5127-5120).....	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the

director of accounts and reports on or before July 15, 2022; and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2022, and on or before the 15<sup>th</sup> of each month thereafter through June 15, 2023: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2023: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2023 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15<sup>th</sup> of each month through June 15, 2023, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2023 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2023 is equal to or more than \$67,990,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2023 pursuant to this subsection shall be equal to or more than \$67,990,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed in this subsection shall include the total profit attributed to the special veterans benefit game under K.S.A. 74-8724, and amendments thereto: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2023.

(c) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2023, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

(d) Notwithstanding the provisions of K.S.A. 74-8724, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2023: *Provided*, That, the transfer to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office for the fiscal year ending June 30, 2023, authorized by section 59(f) represents the total profits derived from the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto: *Provided further*, That on or before August 1, 2023, the executive director of the lottery shall report the amount of total profit attributed to the veterans benefits game

pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2023 to the director of the budget and the director of legislative research.

(e) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 74-8720, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide the name and address of all persons who claim a Kansas lottery prize of \$10,000 or more to the office of inspector general established under K.S.A. 75-7427, and amendments thereto: *Provided*, That the office of inspector general shall use information received pursuant to this subsection solely for the purposes of carrying out the powers, duties and functions prescribed by K.S.A. 75-7427, and amendments thereto: *Provided further*, That the office of inspector general shall not publicly disclose the identity of any lottery prize winner, including recipients for whom such prize affects such recipient's eligibility for or receipt of medical assistance.

Sec. 59.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....	No limit
Racing reimbursable expense fund (553-00-2616-2600).....	No limit
Racing applicant deposit fund (553-00-7383-7000).....	No limit
Kansas horse breeding development fund (553-00-2516-2300).....	No limit
Kansas greyhound breeding development fund (553-00-2601-2500).....	No limit

*Provided*, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds that win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 74-8767(b), and amendments thereto.

Racing investigative expense fund (553-00-2570-2400).....No limit

Horse fair racing benefit fund (553-00-2296-3000).....No limit

Tribal gaming fund (553-00-2320-3700).....No limit

*Provided*, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.

Expanded lottery regulation fund (553-00-2535).....No limit

*Provided*, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund (553-00-2546-2800).....No limit

Live greyhound racing purse supplement fund (553-00-2557-2900).....No limit

Greyhound promotion and development fund (553-00-2561-3100).....No limit

Gaming background investigation fund (553-00-2682-2680).....No limit

Gaming machine examination fund (553-00-2998-2990).....No limit

Education and training fund (553-00-2459-2450).....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund (553-00-2734-2690).....No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys that are expended for any such evidence

purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2022, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2023 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2023 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2023, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2023 for the Kansas racing and gaming commission by this or other appropriation act of the 2022 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2023 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the Kansas

department of wildlife and parks that is directed to be made on or before June 30, 2023, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2023, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2023, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

Sec. 60.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Moderate income housing (300-00-1000).....\$20,000,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Build up Kansas.....\$500,000

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technology-enabled fiduciary financial institutions fund (300-00-2839).....No limit  
Economic adjustment assistance fund (300-00-3415).....No limit  
Pathway home 2 – federal fund (300-00-3734).....No limit

Sec. 61.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Advantage Kansas (300-00-1000).....\$125,000

Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: KBA grant commitments account; and moderate income housing account.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Main street program (300-00-1900-1175).....\$825,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the main street program account is hereby reappropriated for fiscal year 2023.

Older Kansans

employment program (300-00-1900-1140).....\$503,164

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the older Kansans employment program account is hereby reappropriated for fiscal year 2023.

Rural opportunity

zones program (300-00-1900-1150).....\$1,008,583

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2023.

Senior community service

employment program (300-00-1900-1160).....\$7,941

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the senior community service employment program account is hereby reappropriated for fiscal year 2023.

Strong military

bases program (300-00-1900-1170).....\$195,880

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the strong military bases program account is hereby reappropriated for fiscal year 2023.

Governor's council of

economic advisors (300-00-1900-1185).....\$193,795

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2023.

Creative arts industries

commission (300-00-1900-1188).....\$502,084

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the creative arts industries commission account is hereby reappropriated for fiscal year 2023.

Operating grant (including official hospitality) (300-00-1900-1110).....\$9,088,882

*Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.*

Public broadcasting grants (300-00-1900-1190).....\$500,000

*Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the public broadcasting grants account is hereby reappropriated for fiscal year 2023.*

Build up Kansas (300-00-1900-1230).....\$2,625,000

*Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the build up Kansas account is hereby reappropriated for fiscal year 2023.*

Community development (300-00-1900-1240).....\$644,061

*Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the community development account is hereby reappropriated for fiscal year 2023.*

International trade (300-00-1900-1250).....\$203,771

*Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the international trade account is hereby reappropriated for fiscal year 2023.*

Travel and tourism

operating expenditures (300-00-1900-1901).....\$2,601,576

*Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the travel and tourism operating expenditures account is hereby reappropriated for fiscal year 2023: Provided further, That expenditures from this account for official hospitality shall not exceed \$4,000.*

Reemployment implementation (300-00-1900-1260).....\$94,300

*Provided, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the reemployment implementation account is hereby reappropriated for fiscal year 2023.*

KIT/KIR programs (300-00-1900).....\$2,000,000

Registered apprenticeship (300-00-1900).....\$500,000

Office of broadband development (300-00-1900).....\$1,000,000

Small business R&D grants (300-00-1900).....\$1,000,000

Work-based learning (300-00-1900).....\$714,000

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter



lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467).....	No limit
Kan-grow engineering fund – KU (300-00-2494-2494).....	\$3,500,000
Kan-grow engineering fund – KSU (300-00-2494-2495).....	\$3,500,000
Kan-grow engineering fund – WSU (300-00-2494-2496).....	\$3,500,000
Kansas creative arts industries commission special gifts fund (300-00-7004-7004).....	No limit
Governor's council of economic advisors private operations fund (300-00-2761-2701).....	No limit
Publication and other sales fund (300-00-2048).....	No limit
Conversion of equipment and materials fund (300-00-2411-2220).....	No limit
Conference registration and disbursement fund (300-00-2049).....	No limit
Reimbursement and recovery fund (300-00-2275).....	No limit
Community development block grant – federal fund (300-00-3669).....	No limit
National main street center fund (300-00-7325-7000).....	No limit
IMPACT program services fund (300-00-2176).....	No limit
IMPACT program repayment fund (300-00-7388).....	No limit
Kansas partnership fund (300-00-7525-7020).....	No limit
Publication and other sales fund (300-00-2399-2399).....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2023, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2023: *And provided further*; That the secretary of commerce shall report all such expenditures to the governor and legislature as appropriate.

General fees fund (300-00-2310).....	No limit
--------------------------------------	----------

*Provided*, That expenditures may be made from the general fees fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the

secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Athletic fee fund (300-00-2599-2500).....	No limit
WIOA adult – federal fund (300-00-3270).....	No limit
WIOA youth activities – federal fund (300-00-3039).....	No limit
WIOA dislocated workers – federal fund (300-00-3428).....	No limit
Trade adjustment assistance – federal fund (300-00-3273).....	No limit
Disabled veterans outreach program – federal fund (300-00-3274-3242).....	No limit
Local veterans employment representative program – federal fund (300-00-3274-3240).....	No limit
Wagner Peyser employment services – federal fund (300-00-3275).....	No limit
Senior community service employment program – federal fund (300-00-3100-3510).....	No limit
Indirect cost – federal fund (300-00-2340-2300).....	No limit
Temporary labor certification foreign workers – federal fund (300-00-3448).....	No limit
Work opportunity tax credit – federal fund (300-00-3447-3447).....	No limit
American job link alliance – federal fund (300-00-3100-3516).....	No limit
American job link alliance job corps – federal fund (300-00-3100-3512).....	No limit
Child care/development block grant – federal fund (300-00-3028-3028).....	No limit
Enterprise facilitation fund (300-00-2378-2710).....	No limit
Unemployment insurance – federal fund (300-00-3335).....	No limit
State small business credit initiative – federal fund (300-00-3567).....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund (300-00-3210-3218).....	No limit
Kansas creative arts industries commission	

checkoff fund (300-00-2031-2031).....	No limit
Workforce data quality initiative – federal fund (300-00-3237-3237).....	No limit
AJLA special revenue fund (300-00-2190-2190).....	No limit
RETAIN extension – federal fund (300-00-3770).....	No limit
Coronavirus relief fund – federal fund (300-00-3753).....	No limit
Workforce innovation – federal fund (300-00-3581).....	No limit
Reemployment connections initiative – federal fund (300-00-3585).....	No limit
SBA STEP grant – federal fund (300-00-3573-3573).....	No limit
Apprenticeship USA state – federal fund (300-00-3949).....	No limit
Kansas health profession opportunity project – federal fund (300-00-3951).....	No limit
Second chance grant – federal fund (300-00-3895).....	No limit
H-1B technical skills training grant – federal fund (300-00-3400).....	No limit
State broadband data development grant – federal fund (300-00-3782-3700).....	No limit
Transition assistance program grant – federal fund (300-00-3451-3451).....	No limit
Technology-enabled fiduciary financial institutions development and expansion fund (300-00-2839).....	No limit
Economic adjustment assistance fund (300-00-3415).....	No limit
Pathway home 2 – federal fund (300-00-3734).....	No limit
Economic development rural Kansas housing grant fund.....	\$5,000,000

*Provided*, That the expenditures from the economic development rural Kansas housing grant fund shall be used by the above agency for the purpose of providing grants to housing projects intended to accommodate expansion due to recent economic development in a Kansas county with a population greater than 40,000 and less than 60,000 as of the 2020 census: *Provided further*, That the recent economic development will create over 500 new jobs and the housing project includes over \$50,000,000 in capital investments: *And provided further*, That all moneys in the economic

development rural Kansas housing grant fund expended for fiscal year 2023 shall be matched by nonstate moneys on a \$1-to-\$1 basis.

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2023, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2023, in accordance with the provisions of this or other appropriation act of the 2022 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2023 for the department of commerce as authorized by this or other appropriation act of the 2022 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2023 for official hospitality.

(f) During the fiscal year ending June 30, 2023, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2023 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2023, upon certification by the secretary of commerce to the director of accounts and reports and the director of the budget that the unencumbered balance of the KBA grant commitments account of the state general fund is insufficient to pay an amount necessary to meet contractual obligations for fiscal

year 2023, and upon approval of the director of the budget, the director of accounts and reports shall transfer an amount equal to such certified amount from the state general fund to the KBA grant commitments account of the state general fund of the department of commerce: *Provided*, That the secretary shall transmit a copy of each such certification to the director of legislative research at the same time that the secretary submits a certification to the director of accounts and reports and the director of the budget.

(h) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to consult with the director of the budget who shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for providing grants to housing projects intended to accommodate expansion due to recent economic development, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *Provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such grant project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount equal to \$5,000,000 as available from such funds to the economic development rural Kansas housing grant fund of the department of commerce for the purpose of providing such grants: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(i) On July 1, 2022, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the KBA grant commitments account, the sum of \$240,880 is hereby lapsed.

Sec. 62.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000).....No limit

*Provided*, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting

housing programs of the Kansas housing resources corporation.

Sec. 63.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (296-00-1000-0503).....\$233,407

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan state relief fund (296-00-3756-3536).....No limit

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 149(d) of chapter 98 of the 2021 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2228) for capital improvement purposes is hereby increased from \$1,025,000 to \$1,475,000.

Sec. 64.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (296-00-1000-0503).....\$3,654,579

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2023, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-2218 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

Amusement ride safety (296-00-1000-0513).....\$257,985

*Provided*, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Any unencumbered balance in the unemployment insurance modernization account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund (296-00-2124-2220).....	\$13,263,070
Occupational health and safety – federal fund (296-00-3339-3210).....	No limit
Employment security interest assessment fund (296-00-2771-2700).....	No limit
Special employment security fund (296-00-2120-2000).....	No limit
Employment security administration fund (296-00-3335).....	No limit
<i>Provided, That in addition to the other purposes for which expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2023 from moneys made available to the state under section 903 of the federal social security act for the purpose of unemployment insurance modernization: Provided further, That expenditures from such fund for fiscal year 2023 of moneys made available to the state under section 903 of the federal social security act for such unemployment insurance modernization purposes shall not exceed \$4,821,302: And provided further, That all expenditures from the employment security administration fund for any such unemployment insurance modernization purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2023.</i>	
Wage claims assignment fee fund (296-00-2204-2240).....	No limit
Department of labor special projects fund (296-00-2041-2105).....	No limit
Federal indirect cost offset fund (296-00-2302-2280).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 44 - 716a, and amendments thereto, or any statute to the contrary, during fiscal year 2023, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: Provided further, That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.</i>	
Employment security fund (296-00-7056-7200).....	No limit
Labor force statistics federal fund (296-00-3742-3742).....	No limit
Compensation and working conditions federal fund (296-00-3743-3743).....	No limit

Employment services Wagner-Peyser funded activities federal fund (296-00-3275-3275).....	No limit
Dispute resolution fund (296-00-2587-2270).....	No limit
<i>Provided</i> , That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: <i>Provided further</i> ; That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.	
Indirect cost fund (296-00-2781-2781).....	No limit
Workforce data quality initiative – federal fund (296-00-3237-3237).....	No limit
Employment security fund clearing account (296-00-7055-7100).....	No limit
Employment security fund benefit account (296-00-7054-7000).....	No limit
Employment security fund – special suspense account (296-00-7057-7300).....	No limit
Employment security fund trust account (296-00-7056-7200).....	No limit
Special wage payment clearing trust fund (296-00-7362-7500).....	No limit
Economic adjustment assistance – federal fund (296-00-3415-3415).....	No limit
Social security administration disability – federal fund (296-00-3309-3309).....	No limit
Amusement ride safety fund (296-00-2224-2250).....	No limit
KDOL off-budget fund (296-00-6112-6100).....	No limit
Renovation bond fund (296-00-8432-8411).....	No limit
SNAP employment and training pilot – federal fund (296-00-3321-3350).....	No limit
Anti-human trafficking – federal fund (296-00-3644-3644).....	No limit
Coronavirus relief fund (296-00-3753).....	No limit
American rescue plan state relief fund (296-00-3756-3536).....	No limit



Sec. 65.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$36,625
Operating expenditures – veteran services (694-00-1000-0203).....	\$335,130
Operating expenditures – Kansas veterans' home (694-00-1000-0503).....	\$500,000

(b) On the effective date of this act, of the \$611,447 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 76(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operations – state veterans cemeteries account (694-00-1000-0703), the sum of \$8,407 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan state relief fund (694-00-3756-3536).....	No limit
---	----------

Sec. 66.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$5,059,325
--	-------------

*Provided*, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures – veteran services (694-00-1000-0203).....	\$1,559,184
--	-------------

*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,500.

Operations – state

veterans cemeteries (694-00-1000-0703).....\$598,689

*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operating expenditures – Kansas  
soldiers' home (694-00-1000-0403).....\$1,866,741

*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures – Kansas  
veterans' home (694-00-1000-0503).....\$531,890

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Veterans claim assistance program –  
service grants (694-00-1000-0903).....\$700,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....No limit

Soldiers' home benefit fund (694-00-7903-5400).....No limit

Soldiers' home work  
therapy fund (694-00-7951-5600).....No limit

Soldiers' home  
medicare fund (694-00-3168-3100).....No limit

Soldiers' home  
medicaid fund (694-00-2464-2464).....No limit

Veterans' home  
medicare fund (694-00-3893-3893).....No limit

Veterans' home medicaid fund (694-00-2469-2469).....	No limit
Veterans' home fee fund (694-00-2236-2200).....	No limit
Veterans' home canteen fund (694-00-7809-5300).....	No limit
Veterans' home benefit fund (694-00-7904-5500).....	No limit
Soldiers' home outpatient clinic fund (694-00-2258-2300).....	No limit
State veterans cemeteries fee fund (694-00-2332-2600).....	No limit
State veterans cemeteries donations and contributions fund (694-00-7308-5200).....	No limit
Outpatient clinic patient federal reimbursement fund – federal (694-00-3205-3300).....	No limit
VA burial reimbursement fund – federal (694-00-3212-3310).....	No limit
Federal domiciliary per diem fund (694-00-3220).....	No limit
Federal long term care per diem fund (694-00-3232).....	No limit
Commission on veterans affairs federal fund (694-00-3241-3340).....	No limit
American rescue plan state relief fund (694-00-3756-3536).....	No limit
Kansas veterans memorials fund (694-00-7332-5210).....	No limit
Vietnam war era veterans' recognition award fund (694-00-7017-7000).....	No limit
Kansas hometown heroes fund (694-00-7003-7001).....	No limit
Persian gulf war veterans health initiatives fund (694-00-2304-2500).....	No limit
Construction state home facilities fund (694-00-3018-3000).....	No limit
State cemetery grants fund (694-00-3048).....	No limit
Kansas soldier home construction grant fund (694-00-3075).....	No limit
Winfield veterans home acquisition construction fund (694-00-8806-8200).....	No limit
Coronavirus relief fund (694-00-3753).....	No limit

CARES provider relief fund (694-00-3754).....	No limit
Veterans benefit lottery game fund (694-00-2303).....	No limit

*Provided*, That expenditures from the veterans benefit lottery game fund shall be in an amount equal to 50% for operating expenditures and capital improvements of the above agency, or for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; and 50% for the veterans enhanced service delivery program.

(c) (1) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 73-1231, 73-1233, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2023, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2023 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2023, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such

certification to the director of legislative research.

(f) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,000 from the lottery operating fund (450-00-5123-5100) of the Kansas lottery to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office.

Sec. 67.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Breast cancer screening program (264-00-1000-1300).....	\$362,213
Operating expenditures (including official hospitality) – health (264-00-1000-0270).....	\$246,140

(b) On the effective date of this act, of the \$4,157,704 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 78(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (264-00-1000-0202), the sum of \$4,070 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan state relief fund (264-00-3756-3536).....	No limit
Community health workers for COVID response and resilient communities fund (264-00-3832-3832).....	No limit
Maternal deaths due to violence fund (264-00-3724-3724).....	No limit
SHIP COVID testing and mitigation fund (264-00-3651-3651).....	No limit
Adult viral hepatitis prevention and control fund (264-00-3641-3641).....	No limit
COVID 19 health disparities fund (264-00-3683-3683).....	No limit
Kansas environmental health capacity program fund (264-00-3660-3660).....	No limit

Sec. 68.

DEPARTMENT OF HEALTH AND ENVIRONMENT –

DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (264-00-1000-0202).....\$5,545,578

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures (including official hospitality) – health (264-00-1000-0270).....\$4,077,187

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Vaccine purchases (264-00-1000-0900).....\$329,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Aid to local units (264-00-1000-0350).....\$6,605,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That, except as provided in subsection (k), all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects (264-00-1000-0460).....\$12,750,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs: *And provided further*; That funded clinics shall be not-for-profit or publicly funded primary care clinics or dental clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care or dental services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay and have a unique patient panel that, at a minimum, represents the income-based disparities of the community: *And provided further*; That policies determining patient

eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*; That of the moneys appropriated in the aid to local units – primary health projects account, not less than \$12,750,690 shall be distributed for community-based primary care grants and services provided by the community care network of Kansas.

Infant and toddler program (264-00-1000-0570).....\$6,000,000

Aid to local units –  
 women's wellness (264-00-1000-0610).....\$94,296

*Provided*, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Breast cancer  
 screening program (264-00-1000-1300).....\$1,219,336

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Pregnancy maintenance  
 initiative (264-00-1000-1100).....\$338,846

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Cerebral palsy  
 posture seating (264-00-1000-1500).....\$303,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made by the above agency from the cerebral palsy posture seating account for posture seating for adults.

PKU treatment (264-00-1000-1710).....\$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Teen pregnancy  
 prevention activities (264-00-1000-0650).....\$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

State trauma fund (264-00-1000-1720).....\$300,000

*Provided*, That any unencumbered balance in the state trauma fund in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disease control and prevention investigations  
and technical assistance –  
federal fund (264-00-3150).....No limit

Health and environment training  
fee fund – health (264-00-2183-2160).....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2023, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2023 for agency operations for the division of public health.

Health facilities review fund (264-00-2505-2250).....No limit

Insurance statistical  
plan fund (264-00-2243-2840).....No limit

Health and environment publication  
fee fund – health (264-00-2541-2190).....No limit

*Provided*, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund (264-00-2653-2320).....No limit



Sponsored project overhead fund – health (264-00-2912-2710).....	No limit
Tuberculosis elimination and laboratory – federal fund (264-00-3559-3559).....	No limit
Maternity centers and child care facilities licensing fee fund (264-00-2731-2731).....	No limit
Child care and development block grant – federal fund (264-00-3028-3450).....	No limit
Federal supplemental funding for tobacco prevention and control – federal fund (264-00-3574-3574).....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund (264-00-3575-3575).....	No limit
Office of rural health – federal fund (264-00-3031-3640).....	No limit
Emergency medical services for children – federal fund (264-00-3292-3292).....	No limit
Primary care offices – federal fund (264-00-3293-3293).....	No limit
Injury intervention – federal fund (264-00-3294-3294).....	No limit
Oral health workforce activities – federal fund (264-00-3297-3297).....	No limit
Rural hospital flex program – federal fund (264-00-3298-3298).....	No limit
Hospital bioterrorism preparedness – federal fund (264-00-3398-3398).....	No limit
Kansas coalition against sexual and domestic violence – federal fund (264-00-3907-3907).....	No limit
ARRA collaborative component I – federal fund (264-00-3890-3891).....	No limit
ARRA collaborative component III – federal fund (264-00-3890-3892).....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund (264-00-3486-3486).....	No limit
Medicare – federal fund (264-00-3064-3062).....	No limit

*Provided,* That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2023 pursuant to a contract, which is hereby authorized to be entered into by the secretary of health and environment and the state

fire marshal to provide fire and safety inspections for hospitals.

Migrant health program – federal fund (264-00-3069-3070).....	No limit
Tuberculosis prevention – federal fund (264-00-3071-4610).....	No limit
Strengthen public health immunization infrastructure – federal fund (264-00-3568-3568).....	No limit
Healthy homes and lead poisoning prevention – federal fund (264-00-3572-3572).....	No limit
Children's mercy hospital lead program – federal fund (264-00-3152-3154).....	No limit
Women, infants and children health program – federal fund (264-00-3077-3103).....	No limit
Immunization and vaccines for children grants – federal fund (264-00-3747-3741).....	No limit
Home visiting grant – federal fund (264-00-3503-3503).....	No limit
Preventive health block grant – federal fund (264-00-3614-3200).....	No limit
Maternal and child health block grant – federal fund (264-00-3616-3210).....	No limit
National center for health statistics – federal fund (264-00-3617-3220).....	No limit
Title X family planning services program – federal fund (264-00-3622-3271).....	No limit
Comprehensive STD prevention systems – federal fund (264-00-3070-3080).....	No limit
Make a difference information network – federal fund (264-00-3234-3234).....	No limit
Ryan White title II – federal fund (264-00-3328-3310).....	No limit
Bicycle helmet distribution – federal fund (264-00-3815-3815).....	No limit
Bicycle helmet revolving fund (264-00-2575-2630).....	No limit
SSA fee fund (264-00-2269-2030).....	No limit
Childhood lead poisoning prevention program – federal fund (264-00-3296-3296).....	No limit
State implementation projects for prevention of secondary conditions –	

federal fund (264-00-3087-4405).....	No limit
Title IV-E – federal fund (264-00-3326-3900).....	No limit
HIV prevention projects –	
federal fund (264-00-3740-3521).....	No limit
HIV/AIDS surveillance –	
federal fund (264-00-3399-3399).....	No limit
Infants & toddlers Prt C –	
federal fund (264-00-3516-3171).....	No limit
Universal newborn hearing screening –	
federal fund (264-00-3459-3459).....	No limit
State loan repayment program –	
federal fund (264-00-3760-3755).....	No limit
Opt-out testing initiative –	
federal fund (264-00-3801-3801).....	No limit
Adult lead surveillance data –	
federal fund (264-00-3496-3496).....	No limit
Medical reserve corps contract –	
federal fund (264-00-3502-3502).....	No limit
Trauma fund (264-00-2513-2230).....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2023 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: <i>Provided further</i> ; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security –	
federal fund (264-00-3329-3319).....	No limit
Refugee assistance –	
federal fund (264-00-3378-3345).....	No limit
Personal responsibility education program –	
federal fund (264-00-3494-3494).....	No limit
Kansas vital records for quality improvement –	
federal fund (264-00-3098-3098).....	No limit
Kansas early detection works breast & cervical cancer screening services –	
federal fund (264-00-3099-3099).....	No limit
Kansas public health approaches for ensuring quitline capacity –	
federal fund (264-00-3097-3097).....	No limit
Diagnostic x-ray program –	

federal fund (264-00-3511-3160).....	No limit
HRSA small hospital improvement grant program – federal fund (264-00-3371-3371) .....	No limit
State indoor radon grant – federal fund (264-00-3884-3930).....	No limit
Gifts, grants and donations fund – health (264-00-7311-7090).....	No limit
Special bequest fund – health (264-00-7366-7050).....	No limit
Civil registration and health statistics fee fund (264-00-2291-2295).....	No limit
Power generating facility fee fund (264-00-2131-2130).....	No limit
Nuclear safety emergency preparedness special revenue fund (264-00-2415-2280).....	No limit
<i>Provided</i> , That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund (034- 00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: <i>Provided further</i> , That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.	
Radiation control operations fee fund (264-00-2531-2530).....	No limit
<i>Provided</i> , That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.	
Strengthening public health infrastructure – federal fund (264-00-3547-3547).....	No limit
Improving minority health – federal fund (264-00-3548-3548).....	No limit
Abstinence education – federal fund (264-00-3549-3549).....	No limit
Affordable care act – federal fund (264-00-3546-3546).....	No limit
Carbon monoxide detector/fire injury prevention – federal fund (264-00-3508-3508).....	No limit
Health information exchange – federal fund (264-00-3493-3493).....	No limit
Kansas newborn screening fund (264-00-2027-2027).....	No limit
Actions to prevent and control diabetes,	

heart disease, and obesity – federal fund (264-00-3749-3742).....	No limit
Healthy start initiative – federal fund (264-00-3751-3751).....	No limit
Immunization capacity building assistance – federal fund (264-00-3744-3744).....	No limit
Hospital preparedness and response program for Ebola – federal fund (264-00-3033-3033).....	No limit
CDC multipurpose grant federal fund (264-00-3243-3243).....	No limit
Kansas newborn screening information system maintenance and enhancement federal fund (264-00-3612-3612).....	No limit
Lifting young families toward excellence federal fund (264-00-3627-3627).....	No limit
Cancer registry federal fund (264-00-3008-3040).....	No limit
Hospital preparedness Ebola – federal fund (264-00-3093-3093).....	No limit
Kansas survivor care quality initiative – federal fund (264-00-3101-3610).....	No limit
Zika birth defects surveillance & referral – federal fund (264-00-3102-3620).....	No limit
IDEA infant toddler-part C-ARRA – federal fund (264-00-3282-3282).....	No limit
SAMHSA project launch intv. – federal fund (264-00-3284-3284).....	No limit
Immunization grant – federal fund (264-00-3372-3150).....	No limit
Small hospital improvement program – federal fund (264-00-3392-3392).....	No limit
Cardiovascular health program – federal fund (264-00-3401-3407).....	No limit
Kansas senior farmers market nutrition program – federal fund (264-00-3406-3406).....	No limit
Lead poisoning preventive health – federal fund (264-00-3626-4132).....	No limit
ARRA – WIC grants to states – federal fund (264-00-3750-3750).....	No limit
Census of trauma occp fatal. –	

federal fund (264-00-3797-3670).....	No limit
Homeland security grant-KHP – federal fund (264-00-3199-3199).....	No limit
Refugee health – federal fund (264-00-3393-3393).....	No limit
ARRA – migrant – federal fund (264-00-3396-3396).....	No limit
ARRA – transfer from SRS – federal fund (264-00-3471-3471).....	No limit
Public health crisis response – federal fund (264-00-3602-3602).....	No limit
Diabetes & heart disease & stroke prevention programs – federal fund (264-00-3603-3603).....	No limit
Innovative state & local public health strategies to prevent & manage diabetes and heart disease and stroke – federal fund (264-00-3604-3604).....	No limit
Kansas actions to improve oral health outcomes – federal fund (264-00-3921-3921).....	No limit
ARRA – survey, licensure and epidemiology – federal fund (264-00-3746-3746).....	No limit
Campus sexual assault prevention grant – federal fund (264-00-3035-3035).....	No limit
Alzheimer's association inclusion – federal fund (264-00-3607-3607).....	No limit
ESSA preschool development grants birth through five – federal fund (264-00-3608-3608).....	No limit
Preventing maternal deaths – federal fund (264-00-3896-3896).....	No limit
Right-to-know fee fund (264-00-2325-2325).....	No limit
Child care criminal background and fingerprint fund (264-00-2313-2313).....	No limit
Kansas tobacco control program – federal fund (264-00-3598-3598).....	No limit
Colorectal cancer screening – federal fund (264-00-3599-3599).....	No limit
Arthritis evidence based interventions – federal fund (264-00-3755-3755).....	No limit

Coronavirus relief fund (264-00-3753).....	No limit
Rural hospital innovation grant fund.....	No limit
American rescue plan state relief fund (264-00-3756-3536).....	No limit
Community health workers for COVID response and resilient communities fund (264-00-3832-3832).....	No limit
Maternal deaths due to violence fund (264-00-3724-3724).....	No limit
SHIP COVID testing and mitigation fund (264-00-3651-3651).....	No limit
Adult viral hepatitis prevention and control fund (264-00-3641-3641).....	No limit
COVID 19 health disparities fund (264-00-3683-3683).....	No limit
Kansas environmental health capacity program fund (264-00-3660-3660).....	No limit

(c) On July 1, 2022, and on other occasions during fiscal year 2023, when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) During the fiscal year ending June 30, 2023, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(f) During the fiscal year ending June 30, 2023, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of

any item of appropriation for fiscal year 2023 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2023 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2023, as authorized by this or other appropriation act of the 2022 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund (264-00-2653-2320) of the department of health and environment – division of public health for fiscal year 2023 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2022, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(i) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2023, the following:

Healthy start (264-00-2000-2105).....\$1,650,000

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Infants and toddlers program (264-00-2000-2107).....\$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Smoking prevention (264-00-2000-2109).....\$1,001,960

*Provided*, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

SIDS network grant (264-00-2000-2115).....\$96,374

*Provided*, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Any unencumbered balance in the newborn hearing aid loaner program account in



excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2023 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

(k) Notwithstanding the provisions of K.S.A. 65-242, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to distribute to each local health department an amount not less than \$12,000 upon application therefor in accordance with K.S.A. 65-242, and amendments thereto: *Provided*, That any remaining moneys appropriated for such purpose, if any, after making distributions in accordance with this subsection shall be distributed in accordance with K.S.A. 65-242, and amendments thereto: *Provided, however*, That, if sufficient funds are not available to make a minimum distribution of \$12,000, then the provisions of K.S.A. 65-242, and amendments thereto, shall control.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys that are identified as moneys from the federal government for coronavirus relief aid to the state of Kansas and appropriated in any special revenue fund or funds for fiscal year 2023, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from such special revenue fund or funds for fiscal year 2023 to reimburse for testing certified testing laboratories that have entered into an agreement with the above agency and are providing community COVID-19 testing to the general public.

Sec. 69.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Health policy operating expenditures (264-00-1000-0010).....	\$129,836
Special enhanced FMAP (264-00-1000).....	\$2,000,000

(b) On the effective date of this act, of the \$759,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$67,684,442 is hereby lapsed.

Sec. 70.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Health policy operating  
expenditures (264-00-1000-0010).....\$31,420,596

*Provided*, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Children's health  
insurance program (264-00-1000-0060).....\$51,836,512

*Provided*, That any unencumbered balance in the children's health insurance program in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Other medical assistance (264-00-1000-3026).....\$692,680,872

*Provided*, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*; That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2023: *And provided further*; That, on July 1, 2022, or as soon thereafter as moneys are available, if legislation that expands or expressly consents to expand eligibility for the receipt of medical assistance benefits as provided in the federal patient protection and affordable care act, public law 111-148, and the federal health care and education reconciliation act of 2010, public law 111-152, has been passed by the legislature during the 2022 regular session and enacted into law, then, of the moneys appropriated in the other medical assistance account, the sum of \$68,500,000 is hereby lapsed.

Wichita center for graduate  
medical education (264-00-1000-3027).....\$2,950,000

*Provided*, That any unencumbered balance in the Wichita center for graduate medical

education account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Graduated medical education (264-00-1000-3028).....\$1,300,000

*Provided*, That any unencumbered balance in the graduated medical education account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Special enhanced FMAP (264-00-1000).....\$4,000,000

*Provided*, That any unencumbered balance in the special enhanced FMAP account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Division of health care finance special  
revenue fund (264-00-2360-2350).....No limit

*Provided*, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$1,000.

Health committee  
insurance fund (264-00-2569-2500).....No limit

Health care database  
fee fund (264-00-2578-2570).....No limit

Association assistance  
plan fund (264-00-2391-2391).....No limit

Medical programs fee fund (264-00-2395-0110).....\$126,123,554

*Provided*, That, on July 1, 2022, if legislation that expands or expressly consents to expand eligibility for the receipt of medical assistance benefits as provided in the federal patient protection and affordable care act, public law 111-148, and the federal health care and education reconciliation act of 2010, public law 111-152, has been passed by the legislature during the 2022 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2023, on the medical programs fee fund is hereby increased from \$126,123,554 to \$128,323,554.

Medical assistance fee fund (264-00-2185-2185).....No limit

Other state fees fund (264-00-2440-0100).....No limit

Health care access  
improvement fund (264-00-2443-2215).....No limit

Children's health insurance program  
federal fund (264-00-3424-0540).....No limit

State planning – health care –  
uninsured fund (264-00-3483-3483).....No limit

HIV care formula grant federal fund (264-00-3328-3311).....	No limit
Medical assistance program federal fund (264-00-3414-0440).....	No limit
Quality based community assessment fund (264-00-2760-2760).....	No limit
KEES interagency transfer fund (264-00-6001-6001).....	No limit
Energy assistance block grant (264-00-3305-3305).....	No limit
Temporary assistance for needy families (264-00-3323-3530).....	No limit
Title IV-E – adoption assistance (264-00-3357-3357).....	No limit

(c) During the fiscal year ending June 30, 2023, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2023, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person's client obligation at an amount equal to 300% of federal supplemental security income for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act and any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services.

(e) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be

made by the above agency from such moneys to implement analytical and publicly available reporting that is compliant with the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191), and any federal regulations adopted thereunder, to measure outcomes and effectiveness of the health homes program known as onecare Kansas and to assist providers with the provisions of the health homes program.

(f) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit to the United States centers for medicare and medicaid services a waiver request to allow for medicaid reimbursement for inpatient psychiatric acute care.

(g) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023, to suspend, and not terminate medicaid coverage of inmates in the custody of the department of corrections during the period of such inmate's incarceration for the purposes of reinstating coverage for such inmate during any period of time during fiscal year 2023 that such inmate is eligible for coverage.

(h) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to pay hospitals and physicians at the medicaid rate established in fiscal year 2022: *Provided*, That such rate shall not be adjusted prior to January 1 or July 1 immediately following the publication in the Kansas register of the approval of the hospital provider assessment rate adjustments made to K.S.A. 65-6208, and amendments thereto, by section 9 of chapter 10 of the 2020 Session Laws of Kansas.

(i) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 38-2001, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency to provide coverage under the state children's health insurance program for children residing in a household that has a gross household income not to exceed 250% of the federal poverty guidelines.

Sec. 71.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official  
hospitality) (264-00-1000-0300).....\$216,680

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Increasing technical assistance for regenerative  
agriculture peer mentoring  
programs fund (264-00-3083-3083).....No limit

Sewer overflow municipal grants  
program fund (264-00-3707-3707).....No limit

American rescue plan state  
relief fund (264-00-3756-3536).....No limit

Lead-based paint hazard  
fee fund (264-00-2289-2140).....No limit

Gulf of Mexico  
program fund (264-00-3703-3703).....No limit

Sec. 72.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official  
hospitality) (264-00-1000-0300).....\$4,168,056

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation  
fee fund (264-00-2233-2220).....No limit

Solid waste management fund (264-00-2271-2075).....No limit

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2023, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund (264-00-2284-2085).....	No limit
Voluntary cleanup fund (264-00-2288-2120).....	No limit
Storage tank fee fund (264-00-2293-2090).....	No limit
Air quality fee fund (264-00-2020-2830).....	No limit
Hazardous waste collection fund (264-00-2099-2010).....	No limit
Health and environment training fee fund – environment (264-00-2175-2170).....	No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2023, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2023 for agency operations for the division of environment.

Driving under the influence fund (264-00-2101-2020).....	No limit
Waste tire management fund (264-00-2635-2820).....	No limit
Health and environment publication fee fund – environment (264-00-2544-2195).....	No limit

*Provided*, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund (264-00-2657-2330).....	No limit
---	----------

Environmental response fund (264-00-2662-2400).....	No limit
Sponsored project overhead fund – environment (264-00-2911-2720).....	No limit
Chemical control fee fund (264-00-2212-2360).....	No limit
QuantiFERON TB laboratory fund (264-00-2458-2460).....	No limit
Resource conservation and recovery act – federal fund (264-00-3586-3190).....	No limit
Water supply – federal fund (264-00-3295-3130).....	No limit
Air quality section 103 – federal fund (264-00-3248-3246).....	No limit
EPA – core support – federal fund (264-00-3040-3000).....	No limit
Network exchange grant – federal fund (264-00-3267-3267).....	No limit
Kansas clean diesel grant – federal fund (264-00-3249-3250).....	No limit
Air quality program – federal fund (264-00-3072-3090).....	No limit
Sec. 106 monitoring initiative – federal fund (264-00-3619-3240).....	No limit
Air quality section 105 – federal fund (264-00-3249-3249).....	No limit
Leaking underground storage tank trust – federal fund (264-00-3812-3700).....	No limit
Surface mining control and reclamation act – federal fund (264-00-3820-3760).....	No limit
Abandoned mined-land – federal fund (264-00-3821-3770).....	No limit
Department of defense and state cooperative agreement – federal fund (264-00-3067-3031).....	No limit
EPA non-point source – federal fund (264-00-3889-3940).....	No limit
Pollution prevention program – federal fund (264-00-3908-3990).....	No limit
EPA water monitoring – federal fund (264-00-3086-4200).....	No limit
Gifts, grants and donations fund – environment (264-00-7314-7095).....	No limit



Special bequest fund – environment (264-00-7367-7040).....	No limit
Aboveground petroleum storage tank release trust fund (264-00-7398-7070).....	No limit
Underground petroleum storage tank release trust fund (264-00-7399-7060).....	No limit
Drycleaning facility release trust fund (264-00-7407-7250).....	No limit
Public water supply loan fund (264-00-7539-7800).....	No limit
Public water supply loan operations fund (264-00-3295-3295).....	No limit
Kansas water pollution control revolving fund (264-00-7530-7400).....	No limit
<i>Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: Provided further, That expenditures from this fund shall be made to provide for the payment of such matching grants.</i>	
Kansas water pollution control operations fund (264-00-7960-8300).....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600).....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805).....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7620).....	No limit
Subsurface hydrocarbon storage fund (264-00-2228-2380).....	No limit
Natural resources damages trust fund (264-00-7265-7265).....	No limit
Hazardous waste management fund (264-00-2519-2290).....	No limit
Brownfields revolving loan program – federal fund (264-00-3278-3278).....	No limit
Mined-land reclamation fund (264-00-2685-2560).....	No limit
Operator outreach training program –	

federal fund (264-00-3259-3259).....	No limit
Underground storage tank –	
federal fund (264-00-3732-3510).....	No limit
EPA underground injection control –	
federal fund (264-00-3295-3288).....	No limit
Laboratory medicaid cost recovery fund –	
environment (264-00-2092-2060).....	No limit
EPA state response program –	
federal fund (264-00-3370-3915).....	No limit
Environmental use	
control fund (264-00-2292-2310).....	No limit
Environmental response remedial activity specific	
sites – federal fund (264-00-3040-3003).....	No limit
Emergency environmental response – nonspecific	
sites federal fund (264-00-3067-3030).....	No limit
Medicare program – environment –	
federal fund (264-00-3096-3050).....	No limit
EPA pollution prevention –	
federal fund (264-00-3619-3240).....	No limit
Inspections Kansas infrastructure projects –	
federal fund (264-00-3910-3950).....	No limit
Salt solution mining well	
plugging fund (264-00-2247-2390).....	No limit
Water program	
management fund (264-00-2798-2798).....	No limit
UST redevelopment fund (264-00-7397-7080).....	No limit
<i>Provided, That, in addition to the other purposes authorized by K.S.A. 65-34,132, and amendments thereto, notwithstanding the provisions of K.S.A. 65-34,139(a)(3), and amendments thereto, expenditures shall be made from the above fund for fiscal year 2023 for the purposes of reimbursing eligible owners of underground storage tanks, if, pursuant to K.S.A. 65-34,139, and amendments thereto, the owner replaces all components of a single-wall storage tank system with a secondary containment system that complies with K.S.A. 65-34,138, and amendments thereto, after August 8, 2005.</i>	
Office of laboratory services	
operating fund (264-00-2161-2161).....	No limit
Risk management fund (264-00-7402-7402).....	No limit
Intoxilyzer replacement –	
federal fund (264-00-3092-3092).....	No limit
Environmental	

stewardship fund (264-00-7396-7096).....	No limit
EPA multi-purpose grant – federal fund (264-00-3103-3630).....	No limit
Volkswagen environmental fund (264-00-7269-7269).....	No limit
USDA conservation partnership – federal fund (264-00-3022-3022).....	No limit
Environmental response – federal fund (264-00-3066-3010).....	No limit
Other federal grants – federal fund (264-00-3095-5450).....	No limit
Alcohol impaired driving countermeasures incentive grants – federal fund (264-00-3247-3247).....	No limit
Air quality program – federal fund (264-00-3253-3253).....	No limit
Water related grants – federal fund (264-00-3254-3260).....	No limit
EPA nonpoint source implementation – federal fund (264-00-3915-3915).....	No limit
Water protection state grants – federal fund (264-00-3264-3264).....	No limit
Multi-media capacity building – federal fund (264-00-3277-3277).....	No limit
Health watershed initiative – federal fund (264-00-3558-3558).....	No limit
Small employer cafeteria plan development program (264-00-2386-2382).....	No limit
Environmental response RMDL act – federal fund (264-00-3005-3010).....	No limit
Ticket to work grant – federal fund (264-00-3417-4367).....	No limit
Demo to maintenance-indep. employer – federal fund (264-00-3419-3419).....	No limit
EPA underground injection control – federal fund (264-00-3618-3230).....	No limit
104G outreach training program – federal fund (264-00-3722-3500).....	No limit
Drinking water lead testing in school and child care programs –	

federal fund (264-00-3670-3601).....	No limit
Brownfields revolving loan	
program fund (264-00-7526-7103).....	No limit
Certification of environmental	
liability fund (264-00-7527-7230).....	No limit
P/C safety net clinic loan	
guarantee fund (264-00-7551-7595).....	No limit
KWPC surcharge	
services fees (264-00-7961-8400).....	No limit
KPWS revolving fund (264-00-7968-8500).....	No limit
KPWS surcharge service fees (264-00-7969-8600).....	No limit
Asbestos remediation fund (264-00-7342-7342).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 65-5309, and amendments thereto, or any other statute, all fees or other moneys collected by the above agency during fiscal year 2023 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.</i>	
Increasing technical assistance for	
regenerative agriculture peer mentoring	
programs fund (264-00-3083-3083).....	No limit
Sewer overflow municipal grants	
program fund (264-00-3707-3707).....	No limit
American rescue plan state	
relief fund (264-00-3756-3536).....	No limit
Lead-based paint hazard	
fee fund (264-00-2289-2140).....	No limit
Gulf of Mexico program fund (264-00-3703-3703).....	No limit
(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the state water plan project or projects specified as follows:	
Contamination remediation (264-00-1800-1802).....	\$1,088,301
<i>Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.</i>	
TMDL initiatives and use	
attainability analysis (264-00-1800-1805).....	\$380,738
<i>Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.</i>	
Watershed restoration and	
protection plan (264-00-1800-1808).....	\$1,000,000

*Provided*, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Nonpoint source program (264-00-1800-1804).....\$403,208

*Provided*, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Milford and Marion reservoirs harmful algae bloom pilot (264-00-1800-1810).....\$150,000

*Provided*, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Drinking water protection (264-00-1800-1806).....\$800,000

*Provided*, That any unencumbered balance in the drinking water protection account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(d) During the fiscal year ending June 30, 2023, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2023 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment, which are directed to be made on or before the 10<sup>th</sup> day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2022, and on other occasions during fiscal year 2023 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment that have available moneys to the

sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2023, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2023 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2023, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2023 to maintain the above agency's staffing levels of professional and associate engineers in the livestock waste section of the bureau of environmental field services at or above the staffing levels in fiscal year 2021: *Provided, however;* That the above agency shall reduce staffing levels among either the environmental specialist staff or inspection staff within the bureau of field services as necessary to not exceed the expenditures of such moneys appropriated for fiscal year 2023.

(k) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2023 to increase the salaries and wages, and associated fringe benefits, of a vacant professional engineer position in the livestock waste section of the bureau of environmental field services in an amount not to exceed \$95,000 in order to hire such engineer.

Sec. 73.

AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

BH community aid (039-00-1000-3004).....	\$2,000,000
Larned state hospital – operating expenditures (410-00-1000-0103).....	\$797,814
Rehabilitation and repair projects (039-00-8100-8240).....	\$1,734,000

(b) On the effective date of this act, of the \$460,285,911 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$85,106,743 is hereby lapsed.

(c) On the effective date of this act, of the \$27,470,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$4,392,145 is hereby lapsed.

(d) On the effective date of this act, of the \$344,483,617 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the KanCare non-caseloads account (039-00-1000-0612), the sum of \$20,453,258 is hereby lapsed.

(e) On the effective date of this act, of the \$12,977,490 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the state operations account (039-00-1000-0801), the sum of \$23,625 is hereby lapsed.

(f) On the effective date of this act, of the \$10,192,906 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Kansas neurological institute – operating expenditures account (363-00-1000-0303), the sum of \$17,901 is hereby lapsed.

(g) On the effective date of this act, of the \$28,106,240 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Osawatomic state hospital – operating expenditures account (494-00-1000-0100), the sum of \$56,035 is hereby lapsed.

(h) On the effective date of this act, of the \$11,066,800 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center – operating expenditures account (507-00-1000-0100), the sum of \$25,076 is hereby lapsed.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 84(b) of chapter 98 of the 2021 Session Laws of Kansas on the Larned state hospital fee fund (410-00-2073-2100) of the Kansas

department for aging and disability services is hereby decreased from \$4,746,563 to \$4,741,973.

(j) On the effective date of this act, of the money reappropriated for the above agency for the fiscal year ending June 30, 2022, by section 200 of chapter 98 of the 2021 Session Laws of Kansas from the state institutions building fund in the debt service – new state security hospital account (039-00-8100-8320), the sum of \$333,896 is hereby lapsed.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 84(b) of chapter 98 of the 2021 Session Laws of Kansas on the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services is hereby increased from \$6,959,093 to \$7,348,124.

Sec. 74.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

RSI crisis center base services (039-00-1000-0110).....	\$3,576,100
Comcare crisis center base services (039-00-1000-0120).....	\$1,300,000
Valeo crisis center base services (039-00-1000-0130).....	\$500,000
Salina crisis center base services (039-00-1000-0140).....	\$85,000
Administration official hospitality (039-00-1000-0204).....	\$1,748

*Provided*, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

PASRR (039-00-1000-0210).....	\$903,780
-------------------------------	-----------

*Provided*, That any unencumbered balance in the PASRR account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Senior care act (039-00-1000-0260).....	\$5,515,000
---	-------------

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2022 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2022: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on



appropriations at the beginning of the 2023 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2022: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –  
 state match (039-00-1000-0280).....\$4,045,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2022 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2022: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2023 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2022: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Community services  
 and programs (039-00-1000-0520).....\$4,114,860

*Provided*, That any unencumbered balance in the community services and programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

KanCare caseloads (039-00-1000-0610).....\$431,984,882

*Provided*, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Non-KanCare caseloads (039-00-1000-0611).....\$44,169,770

*Provided*, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, from the non-KanCare caseloads account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

KanCare non-caseloads (039-00-1000-0612).....\$403,669,621

*Provided*, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That the above agency shall make expenditures from the KanCare

non-caseloads account during fiscal year 2023 to increase provider reimbursement rates for the specialized medical care services code (T1000) under the home and community-based services technology assisted waiver and intellectual and developmental disability waiver to \$47 per hour for in-home registered nurse and licensed practical nurse nursing services under such waiver: *And provided further*; That the above agency shall make expenditures from the KanCare non-caseloads account during fiscal year 2023 to provide a report to the legislative budget committee during the 2022 interim concerning salary and wage information for providers of home and community based services under the intellectual and developmental disability waiver.

Nursing facilities regulation (039-00-1000-0710).....\$1,776,927

*Provided*, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Nursing facilities regulation – title XIX (039-00-1000-0712).....\$1,805,515

*Provided*, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

State operations (039-00-1000-0801).....\$31,808,869

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants (039-00-1000-1010).....\$2,915,447

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Community mental health centers supplemental funding (039-00-1000-3001).....\$53,884,328

*Provided*, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Regional beds funding (039-00-1000-3003).....\$29,650,000

*Provided*, That any unencumbered balance in the regional beds funding account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

BH community aid (039-00-1000-3004).....\$29,103,530

*Provided*, That any unencumbered balance in the BH community aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

CDDO support (039-00-1000-4001).....\$10,974,857

*Provided*, That any unencumbered balance in the CDDO support account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Kansas neurological institute – operating expenditures (363-00-1000-0303).....\$13,974,796

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures (410-00-1000-0103).....\$39,167,333

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – SPTP new crimes reimbursement (410-00-1000-0110).....\$5,000

*Provided*, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Larned state hospital – sexual predator treatment program (410-00-1000-0200).....\$23,242,652

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Osawatomie state hospital – operating expenditures (494-00-1000-0100).....\$32,029,087

*Provided*, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomic state hospital – certified care expenditures (494-00-1000-0101).....\$6,718,128

*Provided*, That any unencumbered balance in the Osawatomic state hospital – certified care expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Osawatomic state hospital – SPTP MiCo (494-00-1000-0200).....\$1,119,976

*Provided*, That any unencumbered balance in the Osawatomic state hospital – SPTP MiCo account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....\$15,693,713

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center – sexual predator treatment program (507-00-1000-0200).....\$2,037,289

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – sexual predator treatment program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Any unencumbered balance in the other medical assistance account (039-00-1000-3002) in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130).....No limit

*Provided*, That all receipts resulting from payments under title XIX of the federal

social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund: *Provided further*, That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute title XIX reimbursements fund (363-00-2060-2200).....	No limit
Larned state hospital title XIX reimbursements fund (410-00-2074-2200).....	No limit
Osawatomie state hospital title XIX reimbursements fund (494-00-2080-4300).....	No limit
Osawatomie state hospital certified care title XIX reimbursements fund (494-00-2080-4301).....	No limit
Parsons state hospital title XIX reimbursements fund (507-00-2083-2300).....	No limit
Kansas neurological institute fee fund (363-00-2059-2000).....	\$1,324,436
Kansas neurological institute – foster grandparents program – federal fund (363-00-3115-3200).....	No limit
Kansas neurological institute – FGP gifts, grants, donations fund (363-00-7125-7400).....	No limit
Kansas neurological institute – patient benefit fund (363-00-7910-7100).....	No limit
Kansas neurological institute – work therapy patient benefit fund (363-00-7940-7200).....	No limit
Larned state hospital fee fund (410-00-2073-2100).....	\$4,443,456
Larned state hospital – canteen fund (410-00-7806-7000).....	No limit
Larned state hospital – patient benefit fund (410-00-7912-7100).....	No limit
Larned state hospital – work therapy patient benefit fund (410-00-7938-7200).....	No limit
Osawatomie state hospital fee fund (494-00-2079-4200).....	\$1,647,130

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall

be credited to the video teleconferencing fee account of the Osawatomi state hospital fee fund: *Provided further*; That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomi state hospital: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomi state hospital fee fund.

Osawatomi state hospital certified care fund (494-00-2079-4201).....	\$5,370,468
Osawatomi state hospital – cottage revenue and expenditures fund (494-00-2159-2159).....	No limit
Osawatomi state hospital – training fee revolving fund (494-00-2602-2000).....	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomi state hospital – training fee revolving fund: *Provided further*; That the superintendent of Osawatomi state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomi state hospital: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomi state hospital.

Osawatomi state hospital – motor pool revolving fund (494-00-6164-5200).....	No limit
Osawatomi state hospital – canteen fund (494-00-7807-5600).....	No limit
Osawatomi state hospital – patient benefit fund (494-00-7914-5700).....	No limit
Osawatomi state hospital – work therapy patient benefit fund (494-00-7939-5800).....	No limit

Parsons state hospital and training center fee fund (507-00-2082-2200).....	\$1,050,000
---	-------------

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*; That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Parsons state hospital and training center –

canteen fund (507-00-7808-5500).....	No limit
Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).....	No limit
Parsons state hospital and training center – work therapy patient benefit fund (507-00-7941-5700).....	No limit
DADS social welfare fund (039-00-2141-2195).....	No limit
Indirect cost fund (039-00-2193-2193).....	No limit
Health occupations credentialing fee fund (039-00-2315-2315).....	No limit
Community mental health center improvement fund (039-00-2336-2336).....	No limit
Community crisis stabilization centers fund (039-00-2337-2337).....	No limit
Clubhouse model program fund (039-00-2338-2338).....	No limit
Medical resources and collection fund (039-00-2363-2100).....	No limit

*Provided*, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

Problem gambling and addictions grant fund (039-00-2371-2371).....	\$7,248,619
State licensure fee fund (039-00-2373-2370).....	No limit
General fees fund (039-00-2524-2500).....	No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to collect: (1) Fees from the sale of surplus property; (2) fees charged for searching, copying and transmitting copies of public records; (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property; and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations

of the Kansas department for aging and disability services or to benefit and meet the mission of the Kansas department for aging and disability services.

Senior citizen nutrition  
check-off fund (039-00-2660-2610).....No limit

Other state fees fund – community  
alcohol treatment (039-00-2661-0000).....No limit

Quality care services fund (039-00-2999-2902).....No limit

*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*, That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 75-7435, and amendments thereto.

Opioid abuse treatment & prevention –  
federal fund (039-00-3023-3024).....No limit

Kansas national background check program –  
federal fund (039-00-3032-3132).....No limit

Money follows the person grant –  
federal fund (039-00-3054-4000).....No limit

Money follows the person  
rebalancing demonstration –  
federal fund (039-00-3054-4041).....No limit

Survey & certification –  
federal fund (039-00-3064-3064).....No limit

*Provided*, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2023 pursuant to a contract, which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Substance abuse/mental health  
services – partnership for success –  
federal fund (039-00-3284-1327).....No limit

Substance abuse/mental  
health supported employment –  
federal fund (039-00-3284-1329).....No limit

Coop agreement to benefit homeless –  
federal fund (039-00-3284-1321).....No limit

Special program for aging IID –



federal fund (039-00-3286-3285).....	No limit
Special program for aging IIIB – federal fund (039-00-3287-3281).....	No limit
Special program for aging IV & II – federal fund (039-00-3288-3297).....	No limit
National family caregiver support program III E – federal fund (039-00-3289-3201).....	No limit
Nutrition services incentives – federal fund (039-00-3291-3305).....	No limit
Prevention/treatment substance abuse – federal fund (039-00-3301-0310).....	No limit
Social service block grant fund (039-00-3307-3371).....	\$4,499,999
<i>Provided, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2022 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2022: Provided further, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2023 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2022: And provided further, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services that are determined to be the most economical services available.</i>	
Community mental health block grant – federal fund (039-00-3310-0460).....	No limit
Temporary assistance for needy families – federal fund (039-00-3323-3323).....	No limit
PATH – federal fund (039-00-3347-4316).....	No limit
Special program for aging VII-2 – federal fund (039-00-3358-3072).....	No limit
TBI partnership program fund (039-00-3376-3376).....	No limit
Disaster response for Children – federal fund (039-00-3385-3591).....	No limit
Special program for aging VII-3 – federal fund (039-00-3402-3000).....	No limit
Center for medicare/medicaid service – federal fund (039-00-3408-3300).....	No limit

Medicare fund – oasis (039-00-3408-3350).....No limit

*Provided*, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Medicare fund – SHICK (039-00-3408-3400).....No limit

Medical assistance program –  
federal fund (039-00-3414-0442).....No limit

Children's health insurance –  
federal fund (039-00-3424-3420).....No limit

Special program for aging IIC –  
federal fund (039-00-3425-3423).....No limit

Medicare enrollment assistance program  
fund – federal (039-00-3468-3450).....No limit

Systems of care grant –  
federal fund (039-00-3595-3595).....No limit

SAMSHA covid-19 supplemental –  
federal fund (039-00-3672-3997).....No limit

SSA xx ombudsman cares FFY21 –  
federal fund (039-00-3680-3083).....No limit

KS assisted outpatient treatment –  
federal fund (039-00-3733-3101).....No limit

ADAS data collection grant –  
federal fund (039-00-3887-3887).....No limit

Long-term care loan and  
grant fund (039-00-5110-5100).....No limit

KDFA refunding revenue bond  
2013B fund (039-00-7111).....No limit

Trust fund (039-00-7299).....No limit

Gifts and donations fund (039-00-7309-7000).....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Larned state security hospital  
KDFA 02N-1 fund (039-00-8703).....No limit

SRS state of Kansas KDFA 04A-1  
project fund (039-00-8704).....No limit

State of Kansas projects	
KDFA 2010E-F fund (039-00-8705).....	No limit
Parking deduction clearing fund (039-00-9233-9200).....	No limit
Medical assistance recovery	
clearing fund (039-00-9300).....	No limit
Credit card clearing fund (039-00-9400).....	No limit

(c) On July 1, 2022, and at other times during fiscal year 2023, when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs from specified special revenue funds of the Kansas department for aging and disability services to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2022, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2022, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2022, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2023, no moneys paid by the Kansas department for aging and disability services from the CDDO support account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2023, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2023 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such

certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2023, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2023 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2023 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2023: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2023 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On October 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the domestic violence grant fund (252-00-2014-2014) of the

governor's department.

(l) On October 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the child advocacy center grants fund (252-00-2024-2024) of the governor's department.

(m) On October 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the community corrections special revenue fund (521-00-2447-2447) of the department of corrections.

(n) During the fiscal year ending June 30, 2023, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(o) Notwithstanding the provisions of K.S.A. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2023.

(p) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to operate, or contract for the operation of, eight acute inpatient psychiatric care beds for children in the city of Hays, Kansas, or the surrounding area: *Provided, however;* That expenditures for such purposes during fiscal year 2023 shall not exceed \$4,000,000.

(q) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to implement a process for certification and funding for certified community behavioral health clinics: *Provided,* That such agency shall certify as a certified community behavioral health clinic any community behavioral health center licensed by such agency that provides the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and

community-based mental healthcare for military servicemembers and veterans.

(r) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to submit a report on a quarterly basis, in collaboration with the Kansas department of health and environment, to the Robert G. (Bob) Bethell joint committee on home and community based services regarding the home and community-based services brain injury waiver, including the:

(1) Number of members enrolled in such waiver at the end of the month prior to the committee meeting;

(2) unduplicated number of such members over the course of the calendar year;

(3) number of such members receiving services for a period longer than 2 years and longer than 4 years;

(4) number of such members who did not receive services within a period of 60, 90 or 120 or more days after being enrolled;

(5) number of such members who did not receive a specific waiver service within a period of 30, 60, 90 or 120 or more days prior to the date such member was officially unenrolled from such waiver;

(6) amount of the per-member, per-month enhanced dollar rate provided to a managed care organization for each member enrolled in such waiver;

(7) total number of members enrolled in the waiver disaggregated by county and the per capita enrollment in such waiver disaggregated by county; and

(8) agency's progress toward new policy implementation.

(s) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2022 regular session of the legislature, the above agency shall make expenditures from such moneys to establish guidelines for nursing facilities, as defined in K.S.A. 39-923, and amendments thereto, to request a waiver from staffing requirements and to study establishing similar guidelines for other adult care homes, as defined in K.S.A. 39-923, and amendments thereto: *Provided*, That any such guidelines shall be compatible with rules established by the United States centers for medicare and medicaid services.

(t) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2022 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements with community mental health centers for the purpose of establishing rates for conducting mobile competency evaluations.

Sec. 75.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$115,556,059 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 87(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the state operations (including official hospitality) account (629-00-1000-0013), the sum of \$200,246 is hereby lapsed.

(b) On the effective date of this act, of the \$220,433,685 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 87(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of \$17,313,441 is hereby lapsed.

Sec. 76.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

State operations (including official hospitality) (629-00-1000-0013).....\$126,324,931

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Cash assistance (629-00-1000-2010).....\$10,508,441

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Vocational rehabilitation aid and assistance (629-00-1000-5010).....\$4,266,974

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: And provided further, That expenditures may be made from this account by the secretary for children and families for the purchase of workers compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Youth services aid and assistance (629-00-1000-7020).....\$235,276,149

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further, That expenditures shall be made from this account by the above agency for workforce recruitment and retention incentives for child placing agencies

and licensed facilities, including qualified residential treatment programs: *And provided further;* That expenditures shall be made from this account by the secretary for children and families to submit a status report on expansion of the safe families for children – Kansas program to the Kansas City and Wichita metro areas and the southeast Kansas area to the house of representatives committee on social services budget on or before January 1, 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Social welfare fund (629-00-2195-0110).....	No limit
Project maintenance reserve fund (629-00-2214-0150).....	No limit
Other state fees fund (629-00-2220).....	No limit
Child care discretionary – federal fund (629-00-3028-0522).....	No limit
Title IV-B promoting safe/stable families – federal fund (629-00-3302).....	No limit
Low-income home energy assistance – federal fund (629-00-3305-0350).....	No limit
Child welfare services state grants – federal fund (629-00-3306-0341).....	No limit
Social services block grant – federal fund (629-00-3307-0370).....	No limit
Commodity supp food program – federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance – federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program – federal fund (629-00-3311).....	No limit
Emergency food assistance program – federal fund (629-00-3313-2310).....	No limit
Rehabilitation services – vocational rehabilitation – federal fund (629-00-3315).....	No limit
Child support enforcement – federal fund (629-00-3316).....	No limit
Child care and development mandatory and matching – federal fund (629-00-3318-0523).....	No limit
Temporary assistance to needy families –	



federal fund (629-00-3323-0530).....	No limit
SNAP technology project for success – federal fund (629-00-3327-3327).....	No limit
Title IV-E foster care – federal fund (629-00-3337-0419).....	No limit
Chafee education and training vouchers program – federal fund (629-00-3338-0425).....	No limit
Adoption incentive payments – federal fund (629-00-3343-0426).....	No limit
Adoption assistance – federal fund (629-00-3357-0418).....	No limit
Chafee foster care independence program – federal fund (629-00-3365-0417).....	No limit
Refugee and entrant assistance – federal fund (629-00-3378).....	No limit
Headstart – federal fund (629-00-3379-6323).....	No limit
Developmental disabilities basic support – federal fund (629-00-3380-4360).....	No limit
Children's justice grants to states – federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants – federal fund (629-00-3382-7210).....	No limit
Independent living state grants – federal fund (629-00-3387).....	No limit
Independent living services for older blind – federal fund (629-00-3388-5313).....	No limit
Supported employment for individuals with severe disabilities – federal fund (629-00-3389).....	No limit
TEFAP trade mitigation program (629-00-3409-2315).....	No limit
Medical assistance program – federal fund (629-00-3414).....	No limit
Children's health insurance program – federal fund (629-00-3424-0541).....	No limit
SNAP employment and training exchange – federal fund (629-00-3452-3452).....	No limit
Child-care disaster – federal fund (629-00-3597-3597).....	No limit

ESSA preschool development grant – federal fund (629-00-3608-0525).....	No limit
Randolph sheppard FRRP – federal fund (629-00-3647-3647).....	No limit
SNAP pandemic ebt admin grant – federal fund (629-00-3661-0431).....	No limit
SNAP data grant – federal fund (629-00-3674-3674).....	No limit
Adult protective services crrsa21 – federal fund (629-00-3680-3680).....	No limit
Title IV-E kinship navigator – federal fund (629-00-3712-0429).....	No limit
Coronavirus relief fund (629-00-3753).....	No limit
Prevention services grant fund (629-00-3813-0428).....	No limit
SRS enterprise fund (629-00-5105).....	No limit
Receipt suspense clearing fund (629-00-9212-0910).....	No limit
Client assistance payment clearing fund (629-00-9214-0930).....	No limit
Child support collections clearing fund (629-00-9218-0970).....	No limit
EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund (629-00-9405-9400).....	No limit

(c) During the fiscal year ending June 30, 2023, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2023 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2023, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2023, the following:

Child care (629-00-2000-2406).....\$5,033,679

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Family preservation (629-00-2000-2413).....\$3,241,062

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(f) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to apply for a waiver from the United States department of agriculture for the time-limited assistance provisions for able-bodied adults between 18 and 49 years of age without dependents in the household under the food assistance program if the secretary can establish that there are insufficient jobs for the employment for such individuals using criteria that is not less restrictive than the criteria established under 7 C.F.R. § 273.24.

(g) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys to allow any single parent of a child who is between three months and one year of age to fulfill work participation requirements under the cash assistance program by engaging in in-home parenting skills training.

(h) During the fiscal year ending June 30, 2023, if the children's alliance receives moneys from the federal government received by the state of Kansas for aid for coronavirus relief for workforce recruitment and retention incentives for child placing agencies and licensed facilities, including qualified residential treatment programs, then on the date following approval by the state finance council, of the \$235,276,149 appropriated for the above agency for the fiscal year ending June 30, 2023, by subsection (a) from the state general fund in the youth services aid and assistance account (629-00-1000-7020), the sum of \$7,500,000 is hereby lapsed.

(i) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agency from such moneys to award a grant to the cerebral palsy research foundation of Kansas in the amount of \$125,000 for the purpose of purchasing and providing durable medical equipment for individuals with disabilities in the state of Kansas.

Sec. 77.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Kansas guardianship program (261-00-1000-0300).....\$1,375,959

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Sec. 78.

STATE LIBRARY

(a) On the effective date of this act, of the \$1,293,285 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 93(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (434-00-1000-0300), the sum of \$3,062 is hereby lapsed.

Sec. 79.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (434-00-1000-0300).....\$1,325,411

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants in aid (434-00-1000-0410).....\$1,067,914

Provided, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....\$1,133,467

Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....\$433,985

Provided, That any unencumbered balance in the grants to libraries and library

systems – talking book services account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500).....	No limit
Federal library services and technology act – fund (434-00-3257-3000).....	No limit
Grants and gifts fund (434-00-7304-7000).....	No limit
Statewide database contribution (434-00-7304-7003).....	No limit
Coronavirus relief fund (434-00-3753).....	No limit

Sec. 80.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,707,392 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 95(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (604-00-1000-0303), the sum of \$530 is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Covid-19 federal relief fund.....	No limit
-----------------------------------	----------

Sec. 81.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (604-00-1000-0303).....	\$5,801,622
--	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....	\$133,847
--	-----------

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services reimbursement fund (604-00-2088-2500).....	No limit
<i>Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: Provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.</i>	
General fees fund (604-00-2093).....	No limit
Student activity fees fund (604-00-2146).....	No limit
Special education state grants – federal fund (604-00-3234).....	No limit
School breakfast program – federal fund (604-00-3529).....	No limit
Federal school lunch – federal fund (604-00-3530).....	No limit
Child and adult care food program – federal fund (604-00-3531).....	No limit
Safe schools – federal fund (604-00-3569).....	No limit
Deaf-blind project – federal fund (604-00-3583).....	No limit
Summer food service program – federal fund (604-00-3591).....	No limit
American rescue plan-state relief – federal fund (604-00-3756).....	No limit
Education improvement – federal fund (604-00-3898).....	No limit
Elementary and secondary school emergency relief fund – federal fund.....	No limit
Gift fund (604-00-7329-5100).....	No limit
Special bequest fund (604-00-7333).....	No limit
Nine month payroll clearing fund (604-00-7714-5200).....	No limit
Covid-19 federal relief fund.....	No limit
Sec. 82.	

KANSAS STATE SCHOOL FOR THE DEAF

(a) On the effective date of this act, of the \$9,600,683 appropriated for the above

agency for the fiscal year ending June 30, 2022, by section 97(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (610-00-1000-0303), the sum of \$5,498 is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Covid-19 federal relief fund.....No limit  
Sec. 83.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (610-00-1000-0303).....\$10,249,757

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000: *Provided further*; That for the fiscal year ending June 30, 2023, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the implementation of the language assessment program for children age birth through two, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*; That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such language assessment program, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount up to \$386,000 as available from such funds to the special revenue fund of the Kansas state school for the deaf and as designated by the superintendent of the Kansas state school for the deaf for the purpose of funding such language assessment program: *And provided further*; That on the effective date of such transfer, of the \$10,249,757 appropriated for the above agency for the fiscal year ending June 30, 2023, in the operating expenditures account, the aggregate amount transferred is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services

reimbursement fund (610-00-2091-2200).....No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (610-00-2094).....No limit

Student activity fees fund (610-00-2147-2100).....No limit

Special education state grants – federal fund (610-00-3234).....No limit

Universal newborn screening – federal fund (610-00-3459).....No limit

School breakfast program – federal fund (610-00-3529).....No limit

School lunch program – federal fund (610-00-3530).....No limit

Special education preschool grants – federal fund (610-00-3535).....No limit

Summer food service program – federal fund (610-00-3591).....No limit

American rescue plan – state relief – federal fund (604-00-3756).....No limit

Special bequest fund (610-00-7321).....No limit

Gift fund (610-00-7330).....No limit

Special workshop fund (610-00-7504).....No limit

Nine month payroll

clearing fund (610-00-7715-5700).....No limit

Language assessment fee fund.....No limit

*Provided*, That expenditures shall be made from the language assessment fee fund for operating expenditures to implement a fee-for-service model to fund the implementation of a language assessment program for children ages three through eight: *Provided further*, That the above agency is hereby authorized to fix, charge and collect fees from unified school districts, special education cooperatives and interlocals to fund the operations of the language assessment program authorized pursuant to K.S.A. 75-5397e, and amendments thereto: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the language



assessment fee fund: *And provided further*, That all expenditures from the language assessment fee fund shall be only for the operations of the language assessment program: *And provided further*, That expenditures from the language assessment fee fund for the fiscal year ending June 30, 2023, for such program shall not exceed \$493,157.

Covid-19 federal relief fund.....No limit  
Sec. 84.

STATE HISTORICAL SOCIETY

(a) On the effective date of this act, of the \$3,793,494 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 99(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (288-00-1000-0083), the sum of \$6,497 is hereby lapsed.

Sec. 85.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (288-00-1000-0083).....\$4,246,260

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Humanities Kansas (288-00-1000-0600).....\$50,501

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Vehicle repair and

replacement fund (288-00-6116-6000).....No limit

General fees fund (288-00-2047-2300).....No limit

Archeology fee fund (288-00-2638-2350).....No limit

*Provided*, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and

equipment fund (288-00-2436-2700).....No limit

Soil/water conservation fund (288-00-3083-3110).....No limit  
 Microfilm fees fund (288-00-2246-2370).....No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100).....No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310).....No limit

Historic preservation grants in aid fund (288-00-3089-3700).....No limit

Historic preservation overhead fees fund (288-00-2916-2380).....No limit

National historic preservation act fund – local (288-00-3089-3000).....No limit

Private gifts, grants and bequests fund (288-00-7302-7000).....No limit

Museum and historic sites visitor donation fund (288-00-2142-2250).....No limit

Insurance collection replacement/ reimbursement fund (288-00-2182-2320).....No limit

Heritage trust fund (288-00-7379-7600).....No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$90,000.

Land survey fee fund (288-00-2234-2330).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2023 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353).....No limit

State historical society facilities fund (288-00-2192-2420).....No limit

Historic properties fund (288-00-2144-2400).....No limit

Law enforcement memorial fund (288-00-7344-7300).....	No limit
Highway planning/ construction fund (288-00-3333-3333).....	No limit
Coronavirus relief fund (288-00-3753).....	No limit
Save America's treasures fund (288-00-3923-4000).....	No limit
Archeology federal fund (288-00-3083-3110).....	No limit
Property sale proceeds fund (288-00-2414-2500).....	No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2023, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2023 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however*; That such admission fees may be increased by the above agency during fiscal year 2023 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further*; That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 86.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....	\$33,052
--	----------

Sec. 87.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....\$35,431,391

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Master's-level nursing capacity (246-00-1000-0100).....\$135,393

Kansas wetlands education center at Cheyenne bottoms (246-00-1000-0200).....\$255,845

*Provided*, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Kansas academy of math and science (246-00-1000-0300).....\$734,520

*Provided*, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050).....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation

and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act –  
 federal fund (246-00-3394-3500).....No limit

Service clearing fund (246-00-6000).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (246-00-2511-2050).....No limit

Health fees fund (246-00-5101-5000).....No limit

*Provided*, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund (246-00-5102-5010).....No limit

*Provided*, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study  
 program fund (246-00-2548-2060).....No limit

Economic opportunity act –  
 federal fund (246-00-3034-3000).....No limit

Faculty of distinction  
 matching fund (246-00-2471-2400).....No limit

Nine month payroll clearing  
 account fund (246-00-7709-7060).....No limit

Federal Perkins student  
 loan fund (246-00-7501-7050).....No limit

Housing system

revenue fund (246-00-5103-5020).....	No limit
<i>Provided</i> , That expenditures may be made from the housing system revenue fund for official hospitality.	
Institutional overhead fund (246-00-2900-2070).....	No limit
Oil and gas royalties fund (246-00-2036-2010).....	No limit
Housing system suspense fund (246-00-5707-5090).....	No limit
Sponsored research overhead fund (246-00-2914-2080).....	No limit
Kansas distinguished scholarship fund (246-00-7204-7000).....	No limit
Temporary deposit fund (246-00-9013-9400).....	No limit
Federal receipts suspense fund (246-00-9105-9410).....	No limit
Suspense fund (246-00-9134-9420).....	No limit
Mandatory retirement annuity clearing fund (246-00-9136-9430).....	No limit
Voluntary tax shelter annuity clearing fund (246-00-9163-9440).....	No limit
Agency payroll deduction clearing fund (246-00-9197-9450).....	No limit
Pre-tax parking clearing fund (246-00-9220-9200).....	No limit
University payroll fund (246-00-9800).....	No limit
University federal fund (246-00-3141-3140).....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: <i>Provided further</i> ; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.	
Coronavirus relief federal fund (246-00-3753).....	No limit
Governor's emergency education relief fund (246-00-3638).....	No limit

(c) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-

2000) to the federal Perkins student loan fund (246-00-7501-7050).

Sec. 88.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....	\$137,528
Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....	\$234,641

Sec. 89.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....	\$99,550,631
---	--------------

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Midwest institute for comparative stem cell biology (367-00-1000-0170).....	\$127,178
---	-----------

*Provided*, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Global food systems (367-00-1000-0190).....	\$4,897,768
---	-------------

*Provided*, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2023 shall be matched by Kansas state university on a \$1-for-\$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2023.

Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....	\$7,022,758
---	-------------

*Provided*, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2022, is

hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181).....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (367-00-2472-2500).....No limit

General fees fund (367-00-2062-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200).....No limit

Restricted fees fund (367-00-2520-2080).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; polytechnic campus; motor pool; music; professorships; student activities fees; biology sales and services; chemistry; field camps; physics storeroom; sponsored research, sponsored instruction, sponsored public service, equipment and facility grants; contract-post office; library collections; sponsored construction or improvement projects; attorney, educational and personal development, human capital services; student financial assistance; application for undergraduate programs; speech and hearing; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; auditorium receipts; catalog sales; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; college of health and human sciences storeroom; college of health and human sciences sales; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; printing; short courses and conferences; student government association receipts; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; departmental student organization receipts; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the



guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*, That expenditures may be made from this fund for official hospitality.

Kansas career work study  
 program fund (367-00-2540-2090).....No limit

Service clearing fund (367-00-6003-7000).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research  
 overhead fund (367-00-2901-2160).....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system  
 suspense fund (367-00-5708-4830).....No limit

Housing system operations fund (367-00-5163).....No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

State emergency fund –  
 building repair (367-00-2451-2451).....No limit

Housing system repair, equipment and  
 improvement fund (367-00-5641-4740).....No limit

Coliseum system repair, equipment and  
 improvement fund (367-00-5642-4750).....No limit

Mandatory retirement annuity  
 clearing fund (367-00-9137-9310).....No limit

Student health fees fund (367-00-5109-4410).....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund (367-00-7201-7210).....	No limit
Perkins student loan fund (367-00-7506-7260).....	No limit
Federal award advance payment – U.S. department of education awards fund (367-00-3855-3350).....	No limit
State agricultural university fund (367-00-7400-7250).....	No limit
Salina – student union fees fund (367-00-5114-4420).....	No limit
Salina – housing system revenue fund (367-00-5117-4430).....	No limit
Salina – housing system suspense fund (367-00-5724-4890).....	No limit
Kansas comprehensive grant fund (367-00-7223-7300).....	No limit
Temporary deposit fund (367-00-9020-9300).....	No limit
Business procurement card clearing fund (367-00-9102-9400).....	No limit
Suspense fund (367-00-9146-9320).....	No limit
Voluntary tax shelter annuity clearing fund (367-00-9164-9330).....	No limit
Agency payroll deduction clearing fund (367-00-9186-9360).....	No limit
Pre-tax parking clearing fund (367-00-9221-9200).....	No limit
Salina student life center revenue fund (367-00-5111-5120).....	No limit
Child care facility revenue fund (367-00-5125-5101).....	No limit
University federal fund (367-00-3142).....	No limit
Animal health research fund (367-00-2053-2053).....	No limit
National bio agro-defense facility fund (367-00-2058-2058).....	No limit
<i>Provided, That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.</i>	
Kan-grow engineering fund – KSU (367-00-2154-2154).....	No limit

Payroll clearing fund (367-00-9801-9000).....	No limit
Fed ext emp clearing fund – employee deduct (367-00-9182-9340).....	No limit
Fed ext emp clearing fund – employer deduct (367-00-9183-9350).....	No limit
Temp dep fund external source (367-00-9065-9305).....	No limit
Nine month payroll clearing fund (367-00-7710-7270).....	No limit
Interest bearing grants fund (367-00-2630-2630).....	No limit
<i>Provided, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2023, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.</i>	
Student union renovation expansion revenue fund (367-00-5191-4650).....	No limit
Coronavirus relief federal fund (367-00-3753).....	No limit
Governor's emergency education relief fund (367-00-3638).....	No limit

(c) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by Kansas state university from such moneys for fiscal year 2023 to conduct a study of the Kansas state university polytechnic campus in Salina, Kansas: *Provided, That such study shall include a review of: (1) The mission and extent of the polytechnic campus; (2) degree offerings at the polytechnic campus; and (3) the financial structure of the polytechnic campus: Provided further; That Kansas state university shall submit a report on such study to the house of representatives committee on appropriations and the senate committee on ways and means on or before November 1, 2022.*

Sec. 90.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$35,736
Agricultural experiment stations (including	

official hospitality) (369-00-1000-1030).....\$53,929  
Sec. 91.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Cooperative extension service (including  
official hospitality) (369-00-1000-1020).....\$19,348,711

*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Agricultural experiment stations (including  
official hospitality) (369-00-1000-1030).....\$30,728,893

*Provided*, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Wildfire suppression/state forest service (369-00-1000-1040).....\$636,710

*Provided*, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this

matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2023: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....	No limit
Sponsored research	
overhead fund (369-00-2921-1200).....	No limit
<i>Provided</i> , That expenditures may be made from the sponsored research overhead fund for official hospitality.	
Federal awards – advance	
payment fund (369-00-3872-1360).....	No limit
Smith-Lever special program grant –	
federal fund (369-00-3047-1330).....	No limit
Faculty of distinction	
matching fund (369-00-2479-1190).....	No limit
Agricultural land	
use-value fund (369-00-2364-1180).....	No limit
University federal fund (369-00-3144).....	No limit
Coronavirus relief federal fund (369-00-3753).....	No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Agricultural experiment	
stations (369-00-1900-1900).....	\$307,939
Sec. 92.	

KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including	
official hospitality) (368-00-1000-5003).....	\$26,978
Sec. 93.	

KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (368-00-1000-5003).....\$10,423,727

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating enhancement (368-00-1000-5023).....\$4,757,733

*Provided*, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas (368-00-1000-5013).....\$378,000

*Provided*, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (including official hospitality) (368-00-5160-5300).....No limit

Faculty of distinction matching fund (368-00-2478-5220).....No limit

Restricted fees fund (368-00-2590-5530).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; departmental student organization receipts; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*; That the state board of regents, with the approval of

the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund for official hospitality.

Health professions student	
loan fund (368-00-7521-5710).....	No limit
University federal fund (368-00-3143-5140).....	No limit
Coronavirus relief federal fund (368-00-3753).....	No limit
Governor's emergency education	
relief fund (368-00-3638).....	No limit

(c) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 94.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including	
official hospitality) (379-00-1000-0083).....	\$61,940

Sec. 95.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including	
official hospitality) (379-00-1000-0083).....	\$33,761,427

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Reading recovery program (379-00-1000-0100).....	\$174,150
--	-----------

*Provided*, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l board cert/future	
teacher academy (379-00-1000-0200).....	\$148,664

*Provided*, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186).....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund (379-00-7101-7000).....No limit

Restricted fees fund (379-00-2526-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*; That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund (379-00-6004).....No limit

*Provided*, That the service clearing fund shall be used for the following service



activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (379-00-2527-2050).....No limit

Kansas career work study  
 program fund (379-00-2549-2060).....No limit

Student health fees fund (379-00-5115-5010).....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction  
 matching fund (379-00-2473-2400).....No limit

Bureau of educational  
 measurements fund (379-00-5118-5020).....No limit

National direct student  
 loan fund (379-00-7507-7040).....No limit

Economic opportunity act – work study –  
 federal fund (379-00-3128-3000).....No limit

Educational opportunity grants –  
 federal fund (379-00-3129-3010).....No limit

Basic opportunity grant program –  
 federal fund (379-00-3130-3020).....No limit

Research and institutional  
 overhead fund (379-00-2902-2070).....No limit

Kansas comprehensive  
 grant fund (379-00-7224-7060).....No limit

Housing system  
 suspense fund (379-00-5701-5130).....No limit

Housing system  
 operations fund (379-00-5169-5050).....No limit

Kansas distinguished  
 scholarship fund (379-00-2762-2700).....No limit

University federal fund (379-00-3145).....No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Twin towers project

revenue fund (379-00-5120-5030).....	No limit
Nine month payroll	
clearing fund (379-00-7712-7050).....	No limit
Temporary deposit fund (379-00-9022-9510).....	No limit
Federal receipts	
suspense fund (379-00-9085-9520).....	No limit
Suspense fund (379-00-9021).....	No limit
Mandatory retirement annuity	
clearing fund (379-00-9138-9530).....	No limit
Voluntary tax shelter annuity	
clearing fund (379-00-9165-9540).....	No limit
Agency payroll deduction	
clearing fund (379-00-9196-9550).....	No limit
Pre-tax parking	
clearing fund (379-00-9222-9200).....	No limit
University payroll fund (379-00-9802).....	No limit
Leveraging educational assistance partnership	
federal fund (379-00-3224-3200).....	No limit
National direct student	
loan fund (379-00-7507-7040).....	No limit
Student union refurbishing fund (379-00-5161-5040).....	No limit
Housing system repairs, equipment and	
improvement fund (379-00-5650-5120).....	No limit
Coronavirus relief federal fund (379-00-3753).....	No limit
Governor's emergency education	
relief fund (379-00-3638).....	No limit
Sec. 96.	

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including	
official hospitality) (385-00-1000-0063).....	\$72,564
Sec. 97.	

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....\$36,276,198

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

School of construction (385-00-1000-0200).....\$751,493

*Provided*, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Polymer science program (385-00-1000-0300).....\$1,009,386

*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010).....No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the

appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health  
fees fund (385-00-5126-5010).....No limit

*Provided*, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510).....No limit

Faculty of distinction  
matching fund (385-00-2474-2400).....No limit

Perkins student loan fund (385-00-7509-7020).....No limit

Sponsored research  
overhead fund (385-00-2903-2903).....No limit

College work study  
federal fund (385-00-3498-3030).....No limit

Nursing student loan fund (385-00-7508-7010).....No limit

Housing system  
suspense fund (385-00-5703-5170).....No limit

Housing system  
operations fund (385-00-5165-5050).....No limit

Housing system repairs, equipment and  
improvement fund (385-00-5646-5160).....No limit

Kansas comprehensive  
grant fund (385-00-7227-7200).....No limit

Kansas career work study  
program fund (385-00-2552-2060).....No limit

Nine month payroll clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520).....	No limit
Federal receipts suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570).....	No limit
Mandatory retirement annuity clearing fund (385-00-9139-9540).....	No limit
Voluntary tax shelter annuity clearing fund (385-00-9166-9550).....	No limit
Agency payroll deduction clearing fund (385-00-9195-9560).....	No limit
Pre-tax parking clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803).....	No limit
University federal fund (385-00-3146).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Overman student center renovation fund (385-00-2820-2820).....	No limit
Student health center revenue fund (385-00-2828-2851).....	No limit
Horace Mann building renovation fund (385-00-2833).....	No limit
Revenue 2014A fund (385-00-5106-5105).....	No limit
Nurse faculty loan program federal fund (385-00-3596-3596).....	No limit
Coronavirus relief federal fund (385-00-3753).....	No limit
Governor's emergency education relief fund (385-00-3638).....	No limit

(c) During the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$145,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596).

Sec. 98.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (682-00-1000-0023).....	\$310,492
Geological survey (including official hospitality) (682-00-1000-0170).....	\$9,648

Sec. 99.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (682-00-1000-0023).....	\$136,020,163
Geological survey (682-00-1000-0170).....	\$6,156,241

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2023, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 203 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix project (682-00-1000-0370).....	\$132,705
---	-----------

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund (682-00-5175-5070).....	No limit
---	----------

*Provided*, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction

matching fund (682-00-2475-2500).....No limit

General fees fund (682-00-2107-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000).....No limit

Sponsored research  
overhead fund (682-00-2905-2160).....No limit

Law enforcement training  
center fund (682-00-2133-2020).....No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*, That expenditures may be made from the law enforcement training center fund for the acquisition of tracts of land.

Law enforcement training center  
fees fund (682-00-2763-2700).....No limit

*Provided*, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which

collected: *And provided further,* That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006).....No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030).....No limit

Kansas career work study  
program fund (682-00-2534-2050).....No limit

Student union fund (682-00-5137-5040).....No limit

Federal Perkins loan fund (682-00-7512-7040).....No limit

Health professions student  
loan fund (682-00-7513-7050).....No limit

Housing system  
suspense fund (682-00-5704-5150).....No limit

Housing system  
operations fund (682-00-5142-5050).....No limit

Housing system repairs, equipment and  
improvement fund (682-00-5621-5110).....No limit

Educational opportunity act –  
federal fund (682-00-3842-3020).....No limit

Loans for disadvantaged  
students fund (682-00-7510-7100).....No limit

Prepaid tuition fees  
clearing fund (682-00-7765).....No limit

Kansas comprehensive  
grant fund (682-00-7226-7110).....No limit

Fire service training fund (682-00-2123-2170).....No limit

University federal fund (682-00-3147).....No limit

Johnson county education research  
triangle fund (682-00-2393-2390).....No limit

Temporary deposit fund (682-00-9061-9020).....No limit

Suspense fund (682-00-9060-9010).....No limit

BPC clearing fund (682-00-9119-9050).....No limit

Mandatory retirement annuity  
clearing fund (682-00-9142-9030).....No limit



Voluntary tax shelter annuity clearing fund (682-00-9167-9040).....	No limit
Agency payroll deduction clearing fund (682-00-9193-9060).....	No limit
Pre-tax parking clearing fund (682-00-9224-9200).....	No limit
University payroll fund (682-00-9806).....	No limit
GTA/GRA emp health insurance clearing fund (682-00-9063-9070).....	No limit
Standard water data repository fund (682-00-2463-2463).....	No limit
Multicultural reser center construction fund (682-00-2890-2890).....	No limit
Kan-grow engineering fund – KU (682-00-2153-2153).....	No limit
Child care facility revenue bond fund (682-00-2372).....	No limit
Student recreation fitness center KDFA fund (682-00-2864-2860).....	No limit
Student union renovation revenue fund (682-00-5171-5060).....	No limit
Parking facility KDFA 1993G revenue fund (682-00-5175-5070).....	No limit
Student health facility maintenance, repair and equipment fee fund (682-00-5640-5120).....	No limit
Coronavirus relief federal fund (682-00-3753).....	No limit
Governor's emergency education relief fund (682-00-3638).....	No limit

(c) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050); loans for disadvantaged students fund (682-00-7510-7100).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....	\$26,841
---	----------

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the geological survey account is hereby reappropriated for fiscal year 2023.

Sec. 100.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$247,171

(b) On the effective date of this act, of the \$30,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 112(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015), the sum of \$29,921 is hereby lapsed.

Sec. 101.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$105,902,974

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600).....\$4,488,171

*Provided*, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Midwest stem cell therapy center (683-00-1000-0800).....\$749,822

*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Rural health bridging (683-00-1000-1010).....\$140,000

Medical scholarships and loans psychiatry (683-00-1000-0610).....\$970,000

*Provided*, That any unencumbered balance in the medical scholarships and loans

psychiatry account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Rural health bridging psychiatry (683-00-1000-1015).....\$30,000

*Provided*, That any unencumbered balance in the rural health bridging psychiatry account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund (683-00-2072-2072).....\$0

Faculty of distinction matching fund (683-00-2476-2400).....No limit

Restricted fees fund (683-00-2551).....No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health

insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund (683-00-2926).....No limit

Kansas breast cancer research fund (683-00-2671-2660).....No limit

Sponsored research overhead fund (683-00-2907-2800).....No limit

Parking facility revenue fund – KC campus (683-00-5176-5550).....No limit

*Provided*, That expenditures may be made from the parking facility revenue fund – KC campus for capital improvement projects for parking improvements.

Parking fee fund – Wichita campus (683-00-5180-5590).....No limit

*Provided*, That expenditures may be made from the parking fee fund – Wichita campus for capital improvement projects for parking improvements.

Services to hospital authority fund (683-00-2915-2900).....No limit

Direct medical education reimbursement fund (683-00-2918-3000).....No limit

Service clearing fund (683-00-6007).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund (683-00-7505-7540).....No limit

Federal college work study fund (683-00-3256-3520).....No limit

AMA education and research grant fund (683-00-7207-7500).....No limit

Federal health professions/primary care student loan fund (683-00-7516-7560).....No limit

Federal nursing student loan fund (683-00-7517-7570).....No limit

Suspense fund (683-00-9057-9500).....No limit

Federal student educational opportunity grant fund (683-00-3255-3510).....	No limit
Federal Pell grant fund (683-00-3252-3500).....	No limit
Federal Perkins student loan fund (683-00-7515-7550).....	No limit
Medical loan repayment fund (683-00-7214-7520).....	No limit
<i>Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.</i>	
Medical student loan programs provider assessment fund (683-00-2625-2650).....	No limit
Graduate medical education administration reserve fund (683-00-5652-5640).....	No limit
University of Kansas medical center private practice foundation reserve fund (683-00-5659-5660).....	No limit
Robert Wood Johnson award fund (683-00-7328-7530).....	No limit
Federal scholarship for disadvantaged students fund (683-00-3094-3100).....	No limit
Temporary deposit fund (683-00-9058-9510).....	No limit
Mandatory retirement annuity clearing fund (683-00-9143-9520).....	No limit
Voluntary tax shelter annuity clearing fund (683-00-9168-9530).....	No limit
Agency payroll deduction clearing fund (683-00-9194-9600).....	No limit
Pre-tax parking clearing fund (683-00-9225-9200).....	No limit
University payroll fund (683-00-9807).....	No limit
University federal fund (683-00-3148).....	No limit
Leveraging educational assistance partnership federal fund (683-00-3223-3200).....	No limit
Johnson county education research triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan repayment fund (683-00-7233-7233).....	No limit
Rural health bridging psychiatry fund (683-00-2218-2218).....	No limit

Cancer center research (683-00-2551-2700).....	No limit
Graduate medical education reimbursement fund (683-00-2918-3050).....	No limit
Coronavirus relief federal fund (683-00-3753).....	No limit
Governor's emergency education relief fund (683-00-3638).....	No limit

(c) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2023, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 102.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$173,103
---	-----------

Sec. 103.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$67,538,799
---	--------------

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Aviation research (715-00-1000-0015).....	\$9,799,000
---	-------------

*Provided*, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2023

shall be matched by Wichita state university on a \$1-for-\$1 basis from other moneys of Wichita state university: *And provided further*, That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2023.

Technology transfer facility (715-00-1000-0005).....\$1,959,700

*Provided*, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Aviation infrastructure (715-00-1000-0010).....\$5,095,500

*Provided*, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That during the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2023 by Wichita state university by this or other appropriation act of the 2022 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2023 may only be expended for training and equipment expenditures of the national center for aviation training.

Digital transformation program.....\$7,000,000

*Provided*, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*, That no existing private moneys of Wichita state university shall be used for such match: *And provided further*, That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 9, 2023, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital

improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction  
 matching fund (715-00-2477-2400).....No limit

Kansas career work study  
 program fund (715-00-2536-2020).....No limit

Scholarship funds fund (715-00-7211-7000).....No limit

Sponsored research  
 overhead fund (715-00-2908-2080).....No limit

Economic opportunity act –  
 federal fund (715-00-3265-3100).....No limit

Educational opportunity grant –  
 federal fund (715-00-3266-3110).....No limit

Nine month payroll clearing  
 account fund (715-00-7717-7030).....No limit

Pell grants federal fund (715-00-3366-3120).....No limit

Housing system  
 suspense fund (715-00-5705-5160).....No limit



WSU housing system depreciation and replacement fund (715-00-5800-5260).....	No limit
National direct student loan fund (715-00-7519-7010).....	No limit
WSU housing systems revenue fund (715-00-5100-5250).....	No limit
WSU housing system surplus fund (715-00-5620-5270).....	No limit
University federal fund (715-00-3149-3140).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Center of innovation for biomaterials in orthopaedic research – Wichita state university fund (715-00-2750-2700).....	No limit
Kan-grow engineering fund – WSU (715-00-2155-2155).....	No limit
Aviation research fund (715-00-2052-2052).....	No limit
Temporary deposit fund (715-00-9059-9500).....	No limit
Suspense fund (715-00-9077).....	No limit
Mandatory retirement annuity clearing fund (715-00-9144-9520).....	No limit
Voluntary tax shelter annuity clearing fund (715-00-9169-9530).....	No limit
Agency payroll deduction clearing fund (715-00-9198-9400).....	No limit
Pre-tax parking clearing fund (715-00-9226-9200).....	No limit
Parking system project K DFA bond revenue fund (715-00-5148-5000).....	No limit
Parking system project maintenance K DFA revenue bond fund (715-00-5159-5040).....	No limit
Coronavirus relief federal fund (715-00-3753).....	No limit
Governor's emergency education relief fund (715-00-3638).....	No limit

Sec. 104.

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

Digital transformation program.....\$7,000,000

*Provided*, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*; That no existing private moneys of Wichita state university shall be used for such match: *And provided further*; That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 8, 2024, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 105.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Digital transformation program.....\$7,000,000

*Provided*, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*; That no existing private moneys of Wichita state university shall be used for such match: *And provided further*; That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 13, 2025, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 106.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Digital transformation program.....\$7,000,000

*Provided*, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*; That no existing private moneys of Wichita state university shall be used for such match: *And provided further*; That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 12, 2026, on the progress of the digital transformation

program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 107.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2027, the following:

Digital transformation program.....\$7,000,000

*Provided*, That all expenditures from the digital transformation program account shall be made only upon certification by the president of Wichita state university that new private moneys from either individuals or corporate entities are available to match the expenditure of state moneys on a \$1-for-\$1 basis: *Provided further*, That no existing private moneys of Wichita state university shall be used for such match: *And provided further*, That Wichita state university shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on or before January 11, 2027, on the progress of the digital transformation program and the economic development attributable to the program, including, but not limited to, new jobs created by the program.

Sec. 108.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....\$8,457

Sec. 109.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....\$4,789,174

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That, during fiscal year 2023, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2023 by the state board of regents as authorized by this or other appropriation act of the 2022 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2023 for attendance

at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2023, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2023 by the state board of regents as authorized by this or other appropriation act of the 2022 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2023 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education

commission (561-00-1000-0250).....	\$95,000
State scholarship program (561-00-1000-4300).....	\$1,035,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 74-32,239, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500).....	\$35,258,338
---	--------------

*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That \$19,000,000 of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.

Ethnic minority

scholarship program (561-00-1000-2410).....	\$296,498
---	-----------

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Kansas work-study program (561-00-1000-2000).....	\$546,813
---	-----------

*Provided*, That any unencumbered balance in the Kansas work-study program

account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....\$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Military service scholarships (561-00-1000-1310).....\$500,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship  
program (561-00-1000-0800).....\$3,094,046

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

National guard educational  
assistance (561-00-1000-1300).....\$5,400,000

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical  
workforce grant (561-00-1000-2200).....\$114,075

*Provided*, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Nursing student scholarship  
program (561-00-1000-4100).....\$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Optometry education program (561-00-1000-1100).....\$107,089

*Provided*, That any unencumbered balance in the optometry education program

account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Postsecondary education operating grant (including official hospitality) (561-00-1000-0770).....\$25,000,000

*Provided, however,* That notwithstanding the provisions of K.S.A. 76-719 and 76-817, and amendments thereto, or any other statute, during fiscal year 2023, in order to receive any money from the postsecondary education operating grant (including official hospitality) account, the above agency shall receive a signed written agreement from each state educational institution, as defined in K.S.A. 76-711, and amendments thereto, certifying that tuition assessed for fiscal year 2023 by such institution shall not increase above the amount of such tuition that was fixed and collected in fiscal year 2022: *Provided further,* That upon receipt of such agreement, the board of regents shall certify to the director of accounts and reports that such agreement meets the requirements of this proviso: *And provided further;* That at the same time as the board of regents transmits this certification to the director of accounts and reports, the board of regents shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Municipal university operating grant (561-00-1000-1010).....\$14,000,000

Adult basic education (561-00-1000-0900).....\$1,457,031

Postsecondary tiered technical education state aid (561-00-1000-0760).....\$66,064,478

*Provided,* That, notwithstanding the provisions of K.S.A. 71-1801 through 71-1810, and amendments thereto, or any other statute, the above agency shall distribute the moneys in the postsecondary tiered technical education state aid account in fiscal year 2023 so that each eligible institution shall receive an amount of moneys not less than such eligible institution received from the postsecondary tiered technical education state aid account in fiscal year 2022.

Non-tiered course credit hour grant (561-00-1000-0550).....\$95,407,915

*Provided,* That the above agency shall distribute the moneys in the non-tiered course credit hour grant account in fiscal year 2023 so that each eligible institution shall receive an amount of moneys not less than such eligible institution received from the non-tiered course credit hour grant account in fiscal year 2022.

Technology equipment at community colleges and Washburn university (561-00-1000-0500).....\$398,475

*Provided,* That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Career technical education capital

outlay aid (561-00-1000-0310).....\$4,871,585

*Provided*, That expenditures shall be made by the above agency from the career technical education capital outlay aid account during fiscal year 2023 so that \$3,800,000 of such moneys are divided equally among the seven technical colleges and the nine community colleges that are associated with technical education requiring a local match of nonstate moneys on a \$1-for-\$1 basis from either the college or private donations, including moneys or equipment.

Tuition waivers (561-00-1000-1650).....\$350,000

Nurse educator

grant program (561-00-1000-4120).....\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies

grant program (561-00-1000-4130).....\$1,787,193

*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of nursing faculty and laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Tuition for technical education (561-00-1000-0120).....\$39,850,000

*Provided*, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2023, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2023 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course: *And provided further*, That, such expenditures shall be in an amount not less than \$500,000: *And provided further*, That during the fiscal year ending June 30, 2023, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement.

Governor's scholars program (561-00-1000-0950).....\$20,000

*Provided*, That any unencumbered balance in the governor's scholars program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

State universities information technology infrastructure and cybersecurity.....\$20,000,000

*Provided*, That any expenditures made by the board of regents or a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, from such account during fiscal year 2023 shall be for non-recurring commitments for the purpose of upgrading information technology infrastructure including hardware, software, network, cybersecurity and equipment to keep pace with demands for usage and to ensure the safety and security of sensitive employee and student data.

Benedictine college engineering program.....\$200,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund (561-00-7216-6300).....No limit

KAN-ED services fee fund (561-00-2814-2814).....No limit

Earned indirect costs fund – federal (561-00-3642-3600).....No limit

Faculty of distinction program fund (561-00-7200-7050).....No limit

Paul Douglas teacher scholarship fund – federal (561-00-3879-3950).....No limit

GED credentials processing fees fund (561-00-2151-2100).....No limit

Tuition waiver gifts, grants and reimbursements fund (561-00-7230-7230).....No limit

Adult basic education – federal fund (561-00-3042-3000).....No limit

Truck driver training fund (561-00-2172-4900).....No limit

State scholarship discontinued attendance fund (561-00-7213-6100).....No limit

Kansas ethnic minority fellowship program fund (561-00-7238-7600).....No limit

Private postsecondary educational institution degree authorization expense reimbursement fee fund (561-00-2643-3300).....No limit

Nursing service scholarship



program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100).....	No limit
Conversion of materials and equipment fund (561-00-2433-3200).....	No limit
Motorcycle safety fund (561-00-2366-2360).....	No limit
Financial aid services fee fund (561-00-2280-2800).....	No limit
<p><i>Provided</i>, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: <i>Provided further</i>, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: <i>And provided further</i>, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: <i>And provided further</i>, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.</p>	
Inservice education workshop fee fund (561-00-2266).....	No limit
Optometry education repayment fund (561-00-7203-7100).....	No limit
Teacher scholarship repayment fund (561-00-7205-7200).....	No limit
Nursing service scholarship repayment fund (561-00-7210-7400).....	No limit
Nurse educator service scholarship repayment fund (561-00-7231-7300).....	No limit
ROTC service scholarship repayment fund (561-00-7232-7232).....	No limit
Carl D. Perkins vocational and technical education – federal fund (561-00-3539-3539).....	No limit
Kansas national guard educational assistance program repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state postsecondary educational institution	

fee fund (561-00-2614-2610).....	No limit
USAC E-rate program	
federal fund (561-00-3920-3920).....	No limit
Temporary assistance for needy families	
federal fund (561-00-3323-3323).....	No limit
Postsecondary education performance-based	
incentives fund (561-00-2777-2777).....	No Limit
Private donations, gifts, grants	
bequest fund (561-00-7262-7700).....	No limit
Coronavirus relief federal fund (561-00-3753).....	No limit
Governor's emergency education	
relief fund (561-00-3638).....	No limit
Kansas high school equivalency credential	
processing fee fund (561-00-2832-2832).....	No limit

(c) During the fiscal year ending June 30, 2023, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2023, to another item of appropriation in an account of the state general fund for fiscal year 2023. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents (561-00-1000-0103), the university of Kansas (682-00-1000-0023), the university of Kansas medical center (683-00-1000-0503), Kansas state university (367-00-1000-0003), Kansas state university polytechnic campus (367-00-1000-0150), Kansas state university veterinary medical center (368-00-1000-5003), Kansas state university extension systems and agriculture research programs (369-00-1000-1020) and (369-00-1000-1030), Wichita state university (715-00-1000-0003), Emporia state university (379-00-1000-0083), Pittsburg state university (385-00-1000-0063) and Fort Hays state university (246-00-1000-0013); and (2) includes each other account of the state general fund of the state board of regents. The provisions of this subsection shall not apply to the tuition for technical education account (561-00-1000-0120).

(d) (1) In addition to the provisions of subsection (c), during the fiscal year ending June 30, 2023, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund of a state educational institution for the fiscal year ending June 30, 2023, to another item of appropriation in an account of the state general fund of a state educational institution for the fiscal year ending June 30, 2023, for the purposes of restoring any reductions in funding to such account that occurred during the fiscal year ending June 30, 2022. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative

research.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(3) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 for such state educational institution as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2023: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2023 regular session of the legislature.

(4) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

SEDIF – career technical education capital	
outlay aid (561-00-1900-1950).....	\$2,547,726

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2023: *Provided further*, That expenditures from the SEDIF – career technical education capital outlay aid account for each grant of career technical education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and internship program (561-00-1900-1960).....\$179,284

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2022, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2023.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265

Community and technical college competitive grants (561-00-1900-1980).....\$500,000

*Provided*, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1-for-\$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2023, in addition to the other purpose for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to implement the legislative intent: For fiscal year 2024, to implement the funding formula for the community colleges and technical colleges concerning the postsecondary tiered technical education state aid and non-tiered course credit hour grants so that those community colleges and technical colleges who were overfunded in fiscal year 2023 will receive 50% of the amount of such overfunding and the remaining 50% will be distributed based on each eligible institution's calculated gap; and for fiscal year 2025, to fully implement the funding formula for the community colleges and technical colleges concerning the postsecondary tiered technical education state aid and non-tiered course credit hour grants.

(g) During the fiscal year ending June 30, 2023, in addition to the other purpose for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2023 to create a working group to review the plan in subsection (f) and formula-related issues for community colleges and technical colleges: *Provided*, That such working group shall have 13 members as follows: Three members

representing community colleges appointed by the Kansas association of community college trustees; two members representing technical colleges appointed by the Kansas association of technical colleges; a member of the board of regents or a designee appointed by the state board of regents; the chairperson of the senate education committee; the chairperson of the senate ways and means committee; the ranking minority member of the senate ways and means committee; the chairperson of the house of representatives appropriations committee; the ranking minority member of the house of representatives appropriations committee; the chairperson of the house of representatives higher education budget committee; and the ranking minority member of the house of representatives higher education budget committee: *Provided further*; That the working group shall report such group's recommendation to the senate ways and means committee and the house of representatives higher education budget committee on or before January 9, 2023.

Sec. 110.

STATE BOARD OF REGENTS

(a) Any unencumbered balance in the career technical education capital outlay aid account (561-00-1000-0310) of the state general fund for the above agency in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 111.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (521-00-1000-0603).....	\$1,331,411
Evidence-based programs (521-00-1000-0050).....	\$21,095,320

*Provided*, That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made by the above agency from the evidence-based programs account for the jobs for America's graduates-Kansas programs: *Provided, however*; That the expenditures for such programs shall not exceed \$3,500,000; *Provided further*; That if such expenditures are made for the jobs for America's graduates-Kansas programs, expenditures shall be made by the above agency from the evidence-based programs account to require jobs for America's graduates-Kansas to submit a report to the juvenile justice oversight committee established by K.S.A. 75-52,161, and amendments thereto, on or before October 20, 2022: *And provided further*; That such report shall include the number of youths served and performance outcomes.

Treatment and programs –	
offender programs (521-00-1000-0151).....	\$747,651
Community corrections (521-00-1000-0220).....	\$2,558,550
Pathways for success (521-00-1000).....	\$6,665,392

*Provided*, That notwithstanding section 63 of chapter 116 of the 2021 Session Laws

of Kansas, or any other statute, for the fiscal year ending June 30, 2022, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for technical education equipment at correctional institutions, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for such technical education equipment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount up to \$6,665,392 as available from such funds to the special revenue fund of the department of corrections and as designated by the secretary of corrections for the purpose of funding such technical education equipment: *And provided further*, That on the effective date of such transfer, of the amount appropriated for the above agency for the fiscal year ending June 30, 2022, in the pathways for success account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

El Dorado correctional facility – facilities operations (195-00-1000-0303).....	\$30,474
Hutchinson correctional facility – facilities operations (313-00-1000-0303).....	\$17,477
Norton correctional facility (581-00-1000-0303).....	\$4,501

(b) On the effective date of this act, of the \$17,281,796 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Ellsworth correctional facility – facilities operations account (177-00-1000-0303), the sum of \$4,481 is hereby lapsed.

(c) On the effective date of this act, of the \$21,128,884 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex – facilities operations account (352-00-1000-0303), the sum of \$36,222 is hereby lapsed.

(d) On the effective date of this act, of the \$33,049,804 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Lansing correctional facility – facilities operations account (400-00-1000-0303), the sum of \$1,728 is hereby lapsed.

(e) On the effective date of this act, of the \$13,460,854 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Larned correctional mental health facility – facilities operations account (408-00-1000-0303), the sum of \$9,541 is hereby lapsed.

(f) On the effective date of this act, of the \$18,120,951 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Topeka correctional facility – facilities operations account (660-00-1000-0303), the sum of \$38 is hereby lapsed.

(g) On the effective date of this act, of the \$15,069,380 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the Winfield correctional facility – facilities operations account (712-00-1000-0303), the sum of \$1,212 is hereby lapsed.

Sec. 112.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (521-00-1000-0603).....\$47,829,331

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220).....\$28,547,573

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2023 that supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510).....\$1,550,000

*Provided*, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs –

offender programs (521-00-1000-0151).....\$16,674,473

*Provided*, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Treatment and programs – medical  
and mental (521-00-1000-0152).....\$77,404,279

*Provided*, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Department of corrections  
hepatitis C treatment (521-00-1000-0153).....\$6,000,000

*Provided*, That any unencumbered balance in the department of corrections hepatitis C treatment account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Treatment and programs –  
KUMC contract (521-00-1000-0154).....\$2,062,308

*Provided*, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Operating expenditures –  
juvenile services (521-00-1000-0103).....\$1,771,917

*Provided*, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Evidence-based programs (521-00-1000-0050).....\$12,521,500

*Provided*, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made from this account to conduct research into, and development of, evidence-based practices to reduce offender behavior and recidivism among juveniles: *Provided, however*; That the expenditures for such research and development shall not exceed \$1,000,000: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made by the above agency from the evidence-based programs account for the jobs for America's graduates-Kansas programs: *Provided, however*; That the expenditures for such programs shall not exceed \$3,500,000.

Prevention and graduated sanctions  
community grants (521-00-1000-0221).....\$19,311,197

*Provided*, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That moneys awarded as grants



from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Purchase of services (521-00-1000-0300).....\$906,795

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Debt service payments – data systems replacement (521-00-1000-0702).....\$2,704,498

Topeka correctional facility – facilities operations (660-00-1000-0303).....\$17,767,757

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations (313-00-1000-0303).....\$37,688,373

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations (400-00-1000-0303).....\$32,854,096

*Provided*, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations (177-00-1000-0303).....\$17,296,979

*Provided*, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations (712-00-1000-0303).....\$14,443,295

*Provided*, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall

not exceed \$500.

Norton correctional facility –  
facilities operations (581-00-1000-0303).....\$18,002,787

*Provided*, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2022 is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility –  
facilities operations (195-00-1000-0303).....\$33,831,697

*Provided*, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023 *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility –  
facilities operations (408-00-1000-0303).....\$13,479,391

*Provided*, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex –  
facilities operations (352-00-1000-0303).....\$21,154,592

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex –facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$49,285,769

*Provided*, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Juvenile crime  
community prevention (521-00-1000-0051).....\$1,500,000

*Provided*, That, expenditures shall be made by such agency from such account during fiscal year 2023 to provide grants to communities for evidence-based juvenile crime prevention programs: *Provided further*; That, at least \$500,000 of such grants shall require a \$1-for-\$1 local or private match.

Any unencumbered balance in excess of \$100 as of June 30, 2022, in each of the

following accounts is hereby reappropriated for fiscal year 2023: Pathways for success (521-00-1000).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100).....No limit

Justice reinvestment technical assistance  
for state governments project –  
federal fund (521-00-3758-3758).....No limit

Residential substance abuse treatment –  
federal fund (521-00-3006).....No limit

Department of corrections forensic  
psychologist fund (521-00-2492-2492).....No limit

*Provided*, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial  
justice assistance grants –  
federal fund (521-00-3057).....No limit

Violence against women –  
federal fund (521-00-3214).....No limit

Title VI-B special education –  
federal fund (521-00-3234).....No limit

Department of corrections state asset  
forfeiture fund (521-00-2460-2400).....No limit

Prisoner reentry intv demo –  
federal fund (521-00-3063).....No limit

Federal asset forfeiture –  
federal fund (521-00-3063-3713).....No limit

Victims of crime act –  
federal fund (521-00-3260).....No limit

Correctional industries fund (522-00-6126-7300).....No limit

*Provided*, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance –  
federal fund (521-00-3213-3213).....No limit

Bulletproof vest partnership –  
federal fund (521-00-3216-3216).....No limit

Workforce investment act –

- federal fund (521-00-3237-3237).....No limit
- USMS reimbursement –
  - federal fund (521-00-3562-3562).....No limit
- Second chance act –
  - federal fund (521-00-3895-3895).....No limit
- Alcohol and drug abuse
  - treatment fund (521-00-2339-2110).....No limit

*Provided*, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

- State of Kansas – department
  - of corrections inmate
    - benefit fund (521-00-7950-5350).....No limit

- Department of corrections –
  - alien incarceration grant
    - fund – federal (521-00-3943-3800).....No limit

- Department of corrections – general
  - fees fund (521-00-2427-2450).....No limit

*Provided*, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

- Juvenile justice delinquency prevention
  - federal fund (521-00-3351).....No limit
- Juvenile alternatives to detention fund (521-00-2250).....No limit

*Provided*, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: *Provided, however*; That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$100,000: *And provided further*; That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2023 for purchase of services: *And provided further*; That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for graduated sanctions.

Juvenile justice fee fund central office (521-00-2257).....	No limit
Title IV-E fund (521-00-3337).....	No limit
Juvenile delinquency prevention trust fund (521-00-7322-7000).....	No limit
Title I program for neglected and delinquent children – federal fund (521-00-3009).....	No limit
Topeka correctional facility – community development block grant – federal fund (660-00-3669-3669).....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund (660-00-3582-3200).....	No limit
Topeka correctional facility – general fees fund (660-00-2090-2090).....	No limit
Hutchinson correctional facility – general fees fund (313-00-2051-2000).....	No limit
Lansing correctional facility – general fees fund (400-00-2040-2040).....	No limit
Ellsworth correctional facility – general fees fund (177-00-2227-2000).....	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000).....	No limit
Norton correctional facility – general fees fund (581-00-2238-2000).....	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000).....	No limit
Larned correctional mental health facility – general fees fund (408-00-2145-2000).....	No limit
Kansas juvenile correctional complex – fee fund (352-00-2321-2300).....	No limit
Kansas juvenile correctional complex – gifts, grants and donations fund (352-00-7016-7000).....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund (352-00-3009).....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex (352-00-3057-3057).....	No limit

National school breakfast program – federal fund – Kansas juvenile correctional complex (352-00-3529-3529).....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex (352-00-3530-3530).....	No limit
Community corrections supervision fund (521-00-2748-2748).....	No limit
Community corrections special revenue fund (521-00-2447-2447).....	No limit
Medical assistance program – federal fund (521-00-3414).....	No limit
Byrne grant – federal fund (521-00-3353-3200).....	No limit
ICJR – federal fund.....	No limit
Second chance act reentry initiative – federal fund.....	No limit
Coronavirus relief fund – federal fund (521-00-3753).....	No limit
Prison rape elimination act (PREA) justice assistance grant – federal fund (521-00-3758).....	No limit
Violence against women – federal fund (521-00-3082).....	No limit
Distance learning and telemedicine – federal fund.....	No limit
Elementary & secondary schools emergency relief – federal fund.....	No limit
Economic adjustment assistance – federal fund.....	No limit
Detection & mitigation of COVID-19 in confinement facilities – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2023, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2023, from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2023 from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2023 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2023 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2022, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2022.

(f) During the fiscal year ending June 30, 2023, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2023, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) Notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2023, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence-based programs account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

(i) On July 1, 2022, the juvenile delinquency preservation trust fund (521-00-7322-7000) of the department of corrections is hereby redesignated as the juvenile delinquency prevention trust fund (521-00-7322-7000) of the department of corrections.

Sec. 113.

#### ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Disaster relief (034-00-1000-0200).....	\$2,000,000
Deferred maintenance (034-00-1000-0700).....	\$319,480
Rehabilitation and repair projects (034-00-1000-8000).....	\$83,333

(b) On the effective date of this act, of the unencumbered balance reappropriated for the above agency for the fiscal year ending June 30, 2022, by section 119(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the emergency management account (034- 00-1000-0600), the sum of \$1,767,947 is hereby lapsed.

(c) On the effective date of this act, of the \$5,510,157 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 119(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (034-00-1000-0053), the sum of \$7,896 is hereby lapsed.

(d) On the effective date of this act, the \$268,725 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 167(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the debt service – rehabilitation and repair of the statewide armories (034-00-1000-8010) account is hereby lapsed.

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$8,600,052 from the state emergency fund (034-00-2437-2400) of the adjutant general to the state general fund.

Sec. 114.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (034-00-1000-0053).....	\$6,035,500
--	-------------

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500.

Civil air patrol – operating expenditures (034-00-1000-0103).....	\$42,236
--	----------

Disaster relief (034-00-1000-0200).....	\$3,332,034
---	-------------

*Provided*, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Military activation payments (034-00-1000-0300).....	\$6,000
--	---------

*Provided*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That all expenditures from the military activation payments



account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 75-3228, and amendments thereto.

Kansas military emergency relief (034-00-1000-0400).....\$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Office of emergency communication.....\$122,481

Any unencumbered balance in excess of \$100 as of June 30, 2022, in each of the following accounts is hereby reappropriated for fiscal year 2023: Force protection (034-00-1000-0500); and calibrators decommission and replacement (034-00-1000-0110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit  
General fees fund (034-00-2102) .....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund (034-00-2496-2496) .....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication

equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*; That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division (034-00-2400-2030) .....	No limit
Adjutant general expense fund (034-00-2357).....	No limit
State asset forfeiture fund (034-00-2498-2498).....	No limit
State emergency fund (034-00-2437).....	No limit
State emergency fund weather disasters 5/4/2007 (034-00-2441).....	No limit
State emergency fund weather disasters 12/06, 7/07 (034-00-2445).....	No limit
Disaster grants – public assistance federal fund (034-00-3005).....	No limit
National guard military operations/maintenance federal fund (034-00-3055-3300).....	No limit
Econ adjustment/military installation federal fund (034-00-3196-3196).....	No limit
Disaster assistance to individual/household federal fund (034-00-3405-3405).....	No limit
Interoperability communication equipment fund (034-00-3449-3449).....	No limit
Pre-disaster mitigation – federal fund (034-00-3268-3269).....	No limit
Hazard material training and planning – federal fund (034-00-3121-3310).....	No limit
State homeland security program federal fund (034-00-3629-3629).....	No limit
Nuclear safety emergency management fee fund (034-00-2081-2200).....	No limit

*Provided*, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2023 pursuant to agreements, which are

hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal (034-00-2152).....No limit

*Provided*, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general  
fees fund (034-00-2171-2010).....No limit

Emergency systems for advanced registration  
for volunteer health professionals –  
federal fund (034-00-3748-3748).....No limit

Civil air patrol – grants and contributions –  
federal fund (034-00-7315-7000).....No limit

Coronavirus relief fund –  
federal fund (034-00-3753).....No limit

Emergency management performance grant –  
federal fund (034-00-3342-3342).....No limit

NG – federal forfeiture fund (034-00-2184-2100).....No limit

Inaugural expense fund (034-00-2003-2300).....No limit

Kansas military emergency  
relief fund (034-00-2658-2650).....No limit

*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact  
federal fund (034-00-3609-3605) .....No limit

Public safety interoperable  
communications grant program

federal fund (034-00-3340-3340).....	No limit
Military construction national guard federal fund (034-00-3192-3192).....	No limit
National guard civilian youth opportunities federal fund (034-00-3193-3193).....	No limit
Hazard mitigation grant federal fund (034-00-3019).....	No limit
Citizen corps federal fund (034-00-3341-3341).....	No limit
Law enforcement terrorism prevention program federal fund (034-00-3613-3600).....	No limit
Safe and drug-free schools and communities national programs federal fund (034-00-3569-3569).....	No limit
National guard museum assistance fund (034-00-8306-8300).....	No limit

*Provided*, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35<sup>th</sup> infantry division museum and education center facility.

Great plains joint regional training center fee fund (034-00-2688-2688).....	No limit
---	----------

*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program – federal fund (034-00-3576-3576).....	No limit
Military honors funeral fund (034-00-2789-2789).....	No limit

*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2023 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto,

and shall be credited to the military honors funeral fund.

Fire management assistance grant – federal fund (034-00-3320-3320).....No limit

Kansas national guard counter drug state forfeiture fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*; That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2023 made by this or other appropriation act of the 2022 regular session of the legislature.

(d) During the fiscal year ending June 30, 2023, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2023 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) Any unencumbered balance from the state general fund in the SDB remodel account (034-00-1000-8030) in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided*, That all expenditures from the SDB remodel account shall be for the design and construction cost of remodeling the state defense building.

Sec. 115.

STATE FIRE MARSHAL

(a) Notwithstanding section 63 of chapter 116 of the 2021 Session Laws of Kansas, or any other statute, for the fiscal year ending June 30, 2022, the director of the budget

shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for personal protective equipment, including structural fire bunker gear and wildland fire fighting gear, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *Provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for such personal protective equipment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount equal to \$1,200,000 if available from such funds to the special revenue fund of the state fire marshal and as designated by the state fire marshal for the purpose of funding such personal protective equipment: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *Provided, however*, That the local units of government receiving moneys for such personal protective equipment shall not be required to provide matching funds as a condition for receiving any moneys pursuant to this subsection.

Sec. 116.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund (234-00-2330-2000).....\$6,015,655

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund (234-00-2128-2128).....No limit

*Provided*, That, during the fiscal year ending June 30, 2023, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the boiler inspection fee fund for fiscal year 2023 by the above agency by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the boiler inspection fee fund for operating expenses of the above agency.

Gifts, grants and donations fund (234-00-7405-7400).....No limit

Intragovernmental

service fund (234-00-6160-6000).....	No limit
Explosives regulatory and training fund (234-00-2361-2361).....	No limit
State fire marshal liquefied petroleum gas fee fund (234-00-2608-2600).....	No limit
Emergency response fund (234-00-2589).....	No limit
<i>Provided, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2023 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: Provided, however, That expenditures from the emergency response fund during fiscal year 2023 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.</i>	
Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620).....	No limit
Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630).....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund (234-00-2626-2610).....	No limit
FFY12 HMEP grant – federal fund (234-00-3121-3121).....	No limit
Contract inspections fund (234-00-6122-6122).....	No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided, That the aggregate amount of such transfers for the fiscal year ending June 30, 2023, shall not exceed \$500,000.*

(c) During the fiscal year ending June 30, 2023, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2023, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered

balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2023 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2023 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2023 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(d) During the fiscal year ending June 30, 2023, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2023, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2023 are insufficient to meet in full the estimated expenditures for fiscal year 2023 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2023: *Provided*, That the aggregate amount of such transfers during fiscal year 2023 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2023, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the state fire marshal, may transfer funds from the contract inspections fund (234-00-6122-6122) of the state fire marshal to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 117.

KANSAS HIGHWAY PATROL



(a) In addition to the other purposes for which expenditures may be made by the above agency from the aircraft fund – on budget (280-00-2368-2360) for fiscal year 2022, as authorized by section 122(a) of chapter 98 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the aircraft fund – on budget for fiscal year 2022 to purchase one new helicopter with a forward-looking infrared radar and one new Cessna C208 caravan airplane with a forward-looking infrared radar: *Provided*, That expenditures shall be made from such fund to sell the above agency's 1978 Cessna R182 aircraft and 2005 Bell 407 helicopter: *Provided, however*, That, such acquisition shall not exceed \$11,200,000.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the executive aircraft fund (280-00-6144-6120) for fiscal year 2022, as authorized by section 122(a) of chapter 98 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the executive aircraft fund for fiscal year 2022 to acquire by lease, purchase or otherwise a new or used aircraft: *Provided, however*, That, such acquisition shall not exceed \$9,000,000: *Provided further*, That expenditures shall be made from the executive aircraft fund by the above agency to request through the appropriate strengthening people and revitalizing Kansas executive committee advisory panel from the moneys from the federal government received by the state of Kansas for aid for coronavirus relief an amount not to exceed \$9,000,000 for the acquisition of such aircraft: *Provided, however*, That the above agency shall sell the King Air aircraft owned by such agency at or prior to the delivery of a new or used aircraft.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$11,200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the aircraft fund – on budget (280-00- 2368-2360) of the Kansas highway patrol.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,000,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the executive aircraft fund (280-00-6144-6120) of the Kansas highway patrol for the purpose of acquiring a new or used aircraft: *Provided, however*, That if the above agency receives moneys from the federal government received by the state of Kansas for aid for coronavirus relief for such aircraft, then following approval by the state finance council: (1) The director of accounts and reports shall not transfer \$9,000,000 from the state highway fund of the department of transportation to the executive aircraft fund of the Kansas highway patrol, pursuant to this subsection; and (2) on the effective date of such state finance council action, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

Sec. 118.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200).....No limit

*Provided*, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*, That notwithstanding the provisions of article 66 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency from the general fees fund, expenditures shall be made by the above agency from such fund to sell the personal sidearm, with a trigger lock, of a part-time state law enforcement officer, who has 10 years or more of service, to such officer, subject to the following: (1) Such officer is resigning; (2) the sale of such personal sidearm shall be for the amount equal to the total of the fair market value of the sidearm, as fixed by the superintendent, plus the cost of the trigger lock; and (3) no sale of a personal sidearm shall be made to any resigning officer unless the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *And provided further*, That all proceeds from the sale of personal sidearms and trigger locks shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

For patrol of Kansas  
turnpike fund (280-00-2514-2500) .....No limit

*Provided*, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor  
vehicle fund (280-00-2317-2800).....No limit

State forfeiture  
fund – pending (280-00-2264-2264).....No limit

Kansas highway patrol state  
forfeiture fund (280-00-2413-2100).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2023, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance –  
federal fund (280-00-3005-3005).....No limit

Edward Byrne memorial assistance grant –  
state and local law enforcement –  
federal fund (280-00-3213-3213).....No limit

Bulletproof vest partner –  
federal fund (280-00-3216-3216).....No limit

Performance registration  
information system management –  
federal fund (280-00-3239-3239).....No limit

Commercial vehicle  
information system network –  
federal fund (280-00-3244-3244).....No limit

Highway planning and construction –  
federal fund (280-00-3333-3333).....No limit

KHP federal forfeiture –  
federal fund (280-00-3545).....No limit

*Provided*, That expenditures may be made from the KHP federal forfeiture – fund by the above agency for the capital improvement project or projects for troop F headquarters.

High intensity drug trafficking areas –  
federal fund (280-00-3615-3000).....No limit

Homeland security program –  
federal fund (280-00-3629).....No limit

Edward Byrne memorial  
justice assistance grant –  
federal fund (280-00-3057).....No limit

Emergency ops cntr –  
federal fund (280-00-3808-3808).....No limit

State and community highway safety –  
federal fund (280-00-3815-3815).....No limit

Gifts and donations fund (280-00-7331).....No limit

*Provided*, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program  
state fund (280-00-2208).....No limit

*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program –  
federal fund (280-00-3073).....No limit

*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget (280-00-2368-2360).....No limit

Highway safety fund (280-00-2217-2250).....	No limit
Capitol area security fund (280-00-6143-6100).....	No limit
Vehicle identification number fee fund (280-00-2213).....	No limit
Motor vehicle fuel and storeroom sales fund (280-00-6155-6200).....	No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund (280-00-2034-1100).....	\$62,511,388
--	--------------

*Provided*, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto: *And provided further*, That expenditures of \$5,000,000 shall be made from the Kansas highway patrol operations fund by the above agency for fiscal year 2023 to enhance the agency's career progression plan and implement salary and wage parity within the same career progression plan pay matrix for all law enforcement officer and troopers of the Kansas highway patrol: *And provided further*, That all law enforcement officer I positions shall be moved to the same pay grade and step of trooper within such pay matrix: *And provided further*, That all law enforcement officer II positions shall be moved to the same pay grade and step of master/technical trooper within such pay matrix: *And provided further*, That all law enforcement officer III positions shall be moved to the same pay grade and step of lieutenant within such pay matrix: *Provided, however*, That if the above agency does not implement such salary and wage parity and enhancement, then on July 1, 2022, the expenditure limitation established for the fiscal year ending June 30, 2023, by this section on expenditures from the Kansas highway patrol operations fund is hereby decreased from \$62,511,388 to \$57,511,388: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund to return the 1959 corvette in the possession of the Kansas highway patrol to the individual from whom the vehicle was seized: *And provided further*, That expenditures shall be made from the Kansas highway patrol operations fund by the above agency in an amount not to exceed \$20,000 to reimburse

such owner for any repairs to the vehicle upon proof of receipt of such repairs.

Highway patrol training center fund (280-00-2306).....No limit

*Provided*, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund (280-00-6144-6120).....No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund: *And provided further*, That expenditures shall be made from the executive aircraft fund by the above agency in an amount not to exceed \$1,500,000 for the maintenance and operations of any aircraft of the above agency.

1122 program clearing fund (280-00-7280).....No limit

Kansas highway patrol staffing and training fund (280-00-2211-2211).....No limit

BAU fund (280-00-3092).....No limit

Homeland sec grant prog fund.....No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2022, and January 1, 2023, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the

approval of the director of the budget, of not more than \$1,000,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol: *Provided, however*; that such transfers shall not result in an ending balance of less than \$2,800,000 in the motor carrier license fees fund of the state corporation commission during the fiscal year ending June 30, 2023.

(d) Except as provided further, on July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$15,627,847 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations: *Provided, however*; That if the above agency does not implement salary and wage parity within the same pay matrix for all law enforcement officers and troopers of the Kansas highway patrol, then the amount of \$15,627,847 authorized by this subsection to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol on July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, is hereby decreased to \$14,377,847. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2023 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2023 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,300,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 to issue a Kansas highway

patrol card, the same card that is issued to a retiring full-time state law enforcement officer, to a retired part-time state law enforcement officer, who has 10 years or more of service, if the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *Provided*, That the provisions of this subsection shall apply to all part-time state law enforcement officers who retired on or after January 1, 2020.

(i) On July 1, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the executive aircraft fund (280-00-6144-6120) of the Kansas highway patrol for the purpose of maintaining and operating the executive aircraft.

Sec. 119.

ATTORNEY GENERAL – KANSAS  
BUREAU OF INVESTIGATION

(a) On the effective date of this act, of the \$22,138,481 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 124(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (083-00-1000-0083), the sum of \$2,851 is hereby lapsed.

Sec. 120.

ATTORNEY GENERAL – KANSAS  
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (083-00-1000-0083).....\$27,845,025

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated to the operating expenditures account for fiscal year 2023: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200).....\$50,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state

forfeiture fund (083-00-2283).....No limit

*Provided*, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-3940).....No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund (083-00-3349-3100).....No limit

Federal grants – marijuana eradication – federal fund (083-00-3350).....No limit

eCitation national priority safety program – federal fund (083-00-3092).....No limit

Ncs-x grant – federal fund (083-00-3580-3580).....No limit

Criminal justice information system line fund (083-00-2457).....No limit

*Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700).....No limit

Kansas bureau of investigation motor vehicle fund (083-00-2344-2050).....No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund (083-00-2077).....No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of



investigation: *Provided, however;* That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further;* That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140).....No limit

*Provided,* That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however;* That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further;* That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures: *And provided further;* That expenditures from any moneys received from the Kansas criminal justice information system committee and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for training activities and official

hospitality.

Record check fee fund (083-00-2044-2010).....No limit

*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental

service fund (083-00-6119-6100).....No limit

Agency motor pool fund (083-00-6117).....No limit

National criminal history improvement program

federal fund (083-00-3189-3189).....No limit

Public safety partnership

and community policing

federal fund (083-00-3218-3218).....No limit

Forensic DNA backlog reduction

federal fund (083-00-3226-3226).....No limit

Coverdell forensic sciences improvement

federal fund (083-00-3227-3227).....No limit

Anti-gang initiative

federal fund (083-00-3229-3229).....No limit

Homeland security federal fund (083-00-3199).....No limit

State homeland security program

federal fund (083-00-3629-3629).....No limit

Convicted/arrestee DNA backlog reduction

federal fund (083-00-3489-3489).....No limit

Disaster grants – public assistance

federal fund (083-00-3005-3005).....No limit

Ed Byrne memorial justice assistance

federal fund (083-00-3057).....No limit

Ed Byrne state/local law enforcement

federal fund (083-00-3213-3213).....No limit

Violence against women – ARRA

federal fund (083-00-3214).....No limit

AWA implementation grant program

federal fund (083-00-3228-3228).....No limit

Ed Byrne memorial JAG – ARRA federal fund (083-00-3455-3455).....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund (083-00-3489-3489).....	No limit
KBI-FBI reimbursement federal fund (083-00-3506-3506).....	No limit
Project safe neighborhoods fund (083-00-3217-3217).....	No limit
Social security administration reimbursement – federal fund (083-00-3560-3560).....	No limit
Bulletproof vest partnership – federal fund (083-00-3216-3211).....	No limit
Sexual assault kit grant – federal fund (083-00-3146-3146).....	No limit
Crime victim assistance discretionary grant (083-00-3250-3260).....	No limit
Opioid summit fund.....	No limit

(c) During the fiscal year ending June 30, 2023, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2023 made by this act or other appropriation act of the 2022 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2023 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 121.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emergency medical services operating fund (206-00-2326-4000).....	\$1,814,249
--	-------------

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational

videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant  
 payment fund (206-00-2396-2510).....No limit

*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400).....No limit

*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2023.

EMS criminal history and  
 fingerprinting fund (206-00-2806-2806).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2023 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants and instructor-coordinators: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants and instructor-coordinators: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants and instructor-coordinators who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2023, as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2023 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2022, and January 1, 2023, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2023, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2023, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2023 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2023 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2023 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2023, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the

senate committee on ways and means on or before February 1, 2023.

Sec. 122.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$961,734 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 127(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$2,621 is hereby lapsed.

(b) On the effective date of this act, of the \$7,834,019 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 127(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account (626-00-1000-0600), the sum of \$3,754,626 is hereby lapsed.

Sec. 123.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (626-00-1000-0303).....\$1,092,681

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse  
treatment programs (626-00-1000-0600).....\$8,778,903

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That, notwithstanding the provisions of K.S.A. 2021 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2023, expenditures may be made from such account for operating costs: *Provided however*; That expenditures from such account for operating costs shall not exceed \$344,596.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201).....No limit  
Statistical analysis – federal fund (626-00-3600).....No limit  
Coronavirus relief fund (626-00-3753).....No limit

Sec. 124.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 129(a) of chapter 98 of the 2021 Session Laws of Kansas on the Kansas commission on peace officers' standards and training fund (529-00-2583-2580) of the Kansas commission on peace officers' standards and training is hereby increased from \$711,904 to \$778,312.

Sec. 125.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund (529-00-2583-2580).....\$750,259

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund (529-00-2746-2700).....No limit

Sec. 126.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the \$9,006,155 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 131(a) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the operating expenditures account (046-00-1000-0053), the sum of \$20,134 is hereby lapsed.

(b) During the fiscal year ending June 30, 2022, the secretary of agriculture, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2022 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2022 from the state water plan fund for the Kansas department of agriculture: Provided, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of the budget; (2) the director of legislative research; (3) the chairperson of the house of

representatives agriculture and natural resources budget committee; and (4) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

Sec. 127.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (046-00-1000-0053).....\$10,338,243

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated to the operating expenditures account for fiscal year 2023: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund (046-00-2105-1015).....No limit

Meat and poultry inspection  
fee fund (046-00-2004-0700).....No limit

Plant protection  
fee fund (046-00-2006-0900).....No limit

Laboratory equipment  
fund (046-00-2710-2700).....No limit

Water structures – state  
highway fund (046-00-2043-1080).....No limit

Soil amendment fee fund (046-00-2117-1100).....No limit

Agricultural liming materials  
fee fund (046-00-2118-1200).....No limit

Weights and measures  
fee fund (046-00-2165-1500).....No limit

Water appropriation  
certification fund (046-00-2168-1600).....No limit

Water resources  
cost fund (046-00-2110-1020).....No limit

*Provided*, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto,



and shall be credited to the water resources cost fund.

Agriculture seed	
fee fund (046-00-2187-2720).....	No limit
Chemigation fee fund (046-00-2194-1800).....	No limit
Petroleum inspection	
fee fund (046-00-2550-2550).....	No limit
Kansas agricultural	
remediation fund (046-00-2095-1090).....	No limit
Warehouse fee fund (046-00-2809-4700).....	No limit
U.S. geological survey	
cooperative gauge agreement	
grants fund (046-00-2629-2800).....	No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*; That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical	
fee fund (046-00-2800-2900).....	No limit
Feeding stuffs	
fee fund (046-00-2801-4000).....	No limit
Fertilizer fee fund (046-00-2802-4100).....	No limit
Plant pest emergency	
response fund (046-00-2210-1805).....	No limit
Pesticide use fee fund (046-00-2804-4300).....	No limit
Egg fee fund (046-00-2808-4600).....	No limit
Water structures fund (046-00-2037-1075).....	No limit
Meat and poultry inspection	
fund – federal (046-00-3013).....	No limit
EPA pesticide performance partnership grant –	
federal fund (046-00-3295-3290).....	No limit
FEMA dam safety –	
federal fund (046-00-3362-3353).....	No limit
State trade and export promotion –	
federal fund (046-00-3573-3576).....	No limit
Conversion of materials and	

equipment fund (046-00-2402-2200).....	No limit
Trademark fund (046-00-2333-2360).....	No limit
Water structures USGS	
LIDAR grant (046-00-3080-3080).....	No limit
Water structures NRCS	
LIDAR grant (046-00-3081-3081).....	No limit
Specialty crop block	
grant fund (046-00-3463-3300).....	No limit
Market development	
fund (046-00-2331-2351).....	No limit
<i>Provided, That expenditures may be made from the market development fund for official hospitality: Provided further, That expenditures may be made from the market development fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture: And provided further, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.</i>	
Reimbursement and	
recovery fund (046-00-2773-2294).....	No limit
<i>Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.</i>	
Conference registration and	
disbursement fund (046-00-2772-2101).....	No limit
<i>Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.</i>	
Buffer participation	
incentive fund (046-00-2517-2510).....	No limit
Land reclamation	
fee fund (046-00-2542-2090).....	No limit
Livestock brand	
fee fund (046-00-2011-2030).....	No limit
Livestock market brand inspection	
fee fund (046-00-2007-2010).....	No limit
Veterinary inspection	
fee fund (046-00-2009-2020).....	No limit
Animal dealers	
fee fund (046-00-2207-2050).....	No limit

*Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: Provided further, That expenditures shall be made from the*

animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fund (046-00-2202-2500).....No limit

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Health and human services retail food audit – federal fund (046-00-3429-3410).....No limit

Publications fee fund (046-00-2322-2000).....No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund (046-00-3199-3436).....No limit

National floodplain insurance assistance (CAP) – federal fund (046-00-3445-3330).....No limit

Cooperating technical partners – federal fund (046-00-3203-3210).....No limit

Plant and animal disease & pest control – federal fund (046-00-3360).....No limit

Market protection/ promotion fund (046-00-3104-3315).....No limit

USDA Kansas forestry service – federal fund (046-00-3426-3380).....No limit

Food safety fee fund (046-00-2813-4805).....No limit

Gifts and donations fund (046-00-7305-7000).....No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund (046-00-2346-2100).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the general fees fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund (046-00-2456-2400).....No limit

Watershed protect approach/WTR RSRCE

MGT fund (046-00-3889).....No limit

NRCS contribution agreement farm bill –

federal fund (046-00-3917-3800).....No limit

Compliance education

fee fund (046-00-2757-2757).....No limit

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2023, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services

fee fund (046-00-2752-2752).....No limit

*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund (046-00-2751-2751).....No limit

Food/drug administration/research (046-00-3462).....No limit

Biofuel infrastructure

program (046-00-3579-3579).....	No limit
AMS farmers market promotion program (046-00-3588-3588).....	No limit
Grain commodity commission services fund (046-00-2018-1070).....	No limit
Commercial industrial hemp act licensing fee fund (046-00-2343-2343).....	No limit
Plant/animal disease and pest control (046-00-3360).....	No limit
Service member ag grant (046-00-3185-3185).....	No limit
NRCS grant CFDA 10.932 fund (046-00-3022-3903).....	No limit
NRCS grant CFDA 10.931 fund (046-00-3228-3220).....	No limit
Ag stats report fund (046-00-3427-3390).....	No limit
NRCS grant CFDA 10.069 fund (046-00-3952-3901).....	No limit
NRCS grant CFDA 10.924 fund (046-00-3953-3902).....	No limit
Flx finding mdl coop agrmt fund (046-00-3954-3905).....	No limit
NRCS grant CFDA 10.912 fund (046-00-3955-3904).....	No limit
Coronavirus relief fund – federal fund (046-00-3753).....	No limit
Water structures emergency fund.....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the water plan project or projects specified, the following:

Water resources cost share (046-00-1800-1205).....	\$2,698,289
---	-------------

*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2023 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2023 for the water resources cost share account.

Nonpoint source pollution assistance (046-00-1800-1210).....	\$1,860,104
---	-------------

*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Conservation district aid (046-00-1800-1220).....	\$2,473,373
---	-------------

*Provided,* That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Watershed dam  
construction (046-00-1800-1240).....\$550,000

*Provided,* That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further,* That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality  
buffer initiatives (046-00-1800-1250).....\$200,000

*Provided,* That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further,* That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further,* That such expenditures may be made from this account from the approved budget amount for fiscal year 2023 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and  
wetland program (046-00-1800-1260).....\$154,024

*Provided,* That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Basin management (046-00-1800-0080).....\$621,651

*Provided,* That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Water use (046-00-1800-0075).....\$100,000

*Provided,* That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Interstate water issues (046-00-1800-0070).....\$499,481

*Provided,* That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Kansas conservation reserve enhancement  
program fund (046-00-1800-1225).....\$546,593

*Provided,* That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Streambank stabilization  
projects (046-00-1800-1290).....\$750,000

*Provided*, That any unencumbered balance in the streambank stabilization projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Irrigation technology (046-00-1800-0088).....\$350,000

*Provided*, That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Crop and livestock research (046-00-1800-0089).....\$250,000

*Provided*, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Soil health initiative (046-00-1800).....\$100,000

(d) During the fiscal year ending June 30, 2023, the secretary of agriculture, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2023 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2023 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of the budget; (2) the director of legislative research; (3) the chairperson of the house of representatives agriculture and natural resources budget committee; and (4) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2022, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund (276-00-4100-4100) of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Agriculture marketing  
program (046-00-1900-1110).....\$983,664

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

(g) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the water structures emergency fund of the Kansas department of agriculture.

KANSAS DEPARTMENT OF AGRICULTURE

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

Operating expenditures (046-00-1000-0053).....\$60,000  
Sec. 129.

STATE FAIR BOARD

(a) On the effective date of this act, the \$850,500 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 168(c) of chapter 98 of the 2021 Session Laws of Kansas from the state general fund in the state fair debt service account (373-00-1000-0700), is hereby lapsed.

Sec. 130.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (373-00-1000-0103).....\$135,000

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2023 to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100).....No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.

State fair special cash fund (373-00-9088-9000).....No limit

State fair debt service special  
revenue fund (373-00-2267-2200).....No limit

Sec. 131.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:



Water resources operating expenditures.....\$80,024,061

*Provided*, That expenditures of \$80,000,000 shall be made from this account for fiscal year 2022 for the payment of water supply storage debt for Big Hill, Clinton and Hillsdale reservoirs.

Sec. 132.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Water resources operating expenditures (709-00-1000-0303).....\$1,027,686

*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund (709-00-2620-3200).....No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage assurance fund (709-00-2631).....No limit

*Provided*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2023, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users that is not held under contract in such reservoirs.

State conservation storage water supply fund (709-00-2502-2600).....No limit

Water marketing fund (709-00-2255-2100).....No limit

*Provided*, That expenditures may be made from the water marketing fund for the purchase of vessel liability insurance: *Provided further*; That, notwithstanding any provision of the state water plan storage act, K.S.A. 82a-1301 through 82a-1320, and amendments thereto, or any other statute, expenditures shall be made from the water

marketing fund from moneys previously obligated for the payment of water supply storage debt for Big Hill, Clinton and Hillsdale reservoirs for fiscal year 2023 for payment of water supply storage debt for all other reservoirs for fiscal year 2023.

General fees fund (709-00-2022-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund (709-00-2419-2419).....No limit

Motor pool vehicle  
replacement fund (709-00-6120-6100).....No limit

Reservoir storage beneficial  
use fund (709-00-2673-2630).....No limit

*Provided*, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Republican river water  
conservation projects – Nebraska  
moneys fund (709-00-2690-2640).....No limit

Republican river water  
conservation projects – Colorado  
moneys fund (709-00-2691-2680).....No limit

Lower Smoky Hill water supply  
access fund (709-00-2772-2700).....No limit

Milford RCPP federal fund (709-00-3022-3022).....No limit

Lower Smoky Hill water supply  
access fund (709-00-2203-2203).....No limit

EPA wetland development  
grant fund (709-00-3914-3990).....No limit

Distribution management plan – CDFA 97.042.....No limit

Emergency management  
performance grant (709-00-3342-3342).....No limit

HHPD rehabilitation –  
CDFA 97.041 (709-00-3362-3362).....No limit

Multipurpose grant –  
CDFA 66-204 (709-00-3103-3103).....No limit

South fork Republican river water conservation  
projects fund (709-00-2824-2824).....No limit

*Provided*, That during the fiscal year ending June 30, 2023, the above agency shall pay an amount equal to the amount certified pursuant to subsection (b) from the south fork Republican river water conservation projects fund as a grant pursuant to the grant agreement entered into by the Kansas water office and the Cheyenne county conservation district, and amendments thereto: *Provided further*; That in accordance with the grant agreement, such moneys shall be used exclusively for the purposes of paying all or a portion of the costs of the projects specified in K.S.A. 82a-1804(g), and amendments thereto, in the area lying in the south fork of the upper Republican river basin in northwest Kansas in all or parts of Cheyenne and Sherman counties: *And provided further*; That in accordance with the grant agreement, all expenditures of such moneys shall be approved by the Cheyenne county conservation district and the Kansas water office: *And provided further*; That, in accordance with the grant agreement, such moneys shall be administered by the Cheyenne county conservation district and any interest earned on such moneys shall be used for the purposes prescribed by this subsection: *And provided further*; That in accordance with the grant agreement, all expenditures and the status of new projects approved by the Cheyenne county conservation district shall be reported not later than November 1 of each calendar year to the Kansas water office.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....\$834,078

*Provided*, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

MOU – storage operations  
and maintenance (709-00-1800-1150).....\$530,464

*Provided*, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Stream gaging (709-00-1800-1190).....\$413,580

*Provided*, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Technical assistance to  
water users (709-00-1800-1200).....\$325,000

*Provided*, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Milford lake watershed regional conservation

partnership program (709-00-1800-1280).....	\$50,000
<i>Provided</i> , That any unencumbered balance in the Milford lake watershed regional conservation partnership program account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Best management practices implementation (709-00-1800-1286).....	\$1,000,000
<i>Provided</i> , That any unencumbered balance in the best management practices implementation account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Water vision education (709-00-1800-1281).....	\$250,000
<i>Provided</i> , That any unencumbered balance in the water vision education account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Reservoir bathymetric surveys and biological research (709-00-1800-1275).....	\$350,000
<i>Provided</i> , That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Water technology farms (709-00-1800-1282).....	\$200,000
<i>Provided</i> , That any unencumbered balance in the water technology farms account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Water injection dredging (709-00-1800-1290).....	\$1,025,000
<i>Provided</i> , That any unencumbered balance in the water injection dredging account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Arbuckle study (709-00-1800-1289).....	\$150,000
<i>Provided</i> , That any unencumbered balance in the arbuckle study account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Equus beds aquifer chloride plume project (709-00-1800-1287).....	\$50,000
<i>Provided</i> , That any unencumbered balance in the equus beds aquifer chloride plume project account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	
Flood study (709-00-1800-1288).....	\$200,000
<i>Provided</i> , That any unencumbered balance in the flood study account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.	

(d) During the fiscal year ending June 30, 2023, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2023 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2023 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office

shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2023, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2023, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2023, the director of accounts and reports

shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2023, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2023 to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) During the fiscal year ending June 30, 2023, the director of the Kansas water office shall certify to the director of accounts and reports the amount of moneys expended by the Kansas department of agriculture from the state general fund that is attributable to the administration of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, or the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto: *Provided*, That upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund: *Provided further*, That the director of the Kansas water office shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(j) During the fiscal year ending June 30, 2023, the director of the Kansas water office shall certify the amount of moneys in the Republican river water conservation projects – Colorado moneys fund and shall transmit such certification, along with the amount to be transferred, to the director of accounts and reports. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount specified by the director of the Kansas water office from the Republican river water conservation projects – Colorado moneys fund to the south fork Republican river water conservation projects fund: *Provided*, That the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Sec. 133.

#### KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, of the \$1,829,733 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the operating expenditures account (710-00-1900-1910), the sum of \$34,749 is hereby lapsed.

(b) On the effective date of this act, of the \$1,611,299 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the state parks operating expenditures account (710-00-1900-1920), the sum of \$7,371 is hereby lapsed.

(c) On the effective date of this act, of the \$36,342 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual licenses issued to national guard members account (710-00-1900-1930), the sum of \$21,228 is hereby lapsed.

(d) On the effective date of this act, of the \$17,922 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual park permits issued to national guard members account (710-00-1900-1940), the sum of \$10,191 is hereby lapsed.

(e) On the effective date of this act, of the \$69,827 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 136(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual licenses issued to disabled veterans account (710-00-1900-1950), the sum of \$35,517 is hereby lapsed.

(f) On the effective date of this act, the \$10,603 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 169(a) of chapter 98 of the 2021 Session Laws of Kansas from the state economic development initiatives fund in the debt service – Kansas City district office (710-00-1900-1960) account is hereby lapsed.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of chapter 98 of the 2021 Session Laws of Kansas on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$34,732,891 to \$37,127,850.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of chapter 98 of the 2021 Session Laws of Kansas on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$10,752,461 to \$13,899,617.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of chapter 98 of the 2021 Session Laws of Kansas on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby decreased from \$1,221,474 to \$1,187,530.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 169(n) of chapter 98 of the 2021 Session Laws of Kansas on the recreational trails program (710-00-3238-3238) of the Kansas department of wildlife and parks is hereby increased from \$700,000 to \$1,680,400.

(k) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Economic adjustment assistance fund.....	No limit
Law enforcement agency support fund.....	No limit

Sec. 134.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, the following:

Stream monitoring (710-00-1800-1801).....	\$224,457
---	-----------

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (710-00-1900-1910).....	\$1,829,737
--	-------------

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided, however; That expenditures from this account for official hospitality shall not exceed \$2,500: Provided further; That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2023, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2023 to include a provision on the calendar year 2023 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: And provided further; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures (710-00-1900-1920).....	\$1,611,295
--	-------------

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Reimbursement for annual licenses issued to national guard members (710-00-1900-1930).....	\$36,342
--	----------

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: Provided further; That all moneys in the reimbursement for annual licenses issued to national guard members account shall be



expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2023 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual  
park permits issued to national  
guard members (710-00-1900-1940).....\$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2023 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*; That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual  
licenses issued to Kansas  
disabled veterans (710-00-1900-1950).....\$69,827

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*; That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2023 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*; That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: *And provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2890).....\$35,767,049

*Provided*, That additional expenditures may be made from the wildlife fee fund for fiscal year 2023 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2023: *And provided further*; That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from the wildlife fee fund for official hospitality shall not exceed \$4,000.

Parks fee fund (710-00-2122-2053).....\$11,433,220

*Provided*, That additional expenditures may be made from the parks fee fund for fiscal year 2023 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2023: *And provided further*; That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2813).....\$1,200,236

*Provided*, That additional expenditures may be made from the boating fee fund for fiscal year 2023 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2023: *And provided further*; That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Central aircraft fund (710-00-6145-6100).....No limit

*Provided*, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access  
roads fund (710-00-2178-2761).....\$1,703,677

Wildlife and parks  
nonrestricted fund (710-00-2065-2120).....No limit

Prairie spirit rails-to-trails fee fund (710-00-2025-2030).....	No limit
Plant and animal disease and pest control fund (710-00-3360-3361).....	No limit
Nongame wildlife improvement fund (710-00-2593-3300).....	No limit
Wildlife conservation fund (710-00-2100-2020).....	No limit
Federally licensed wildlife areas fund (710-00-2670-3400).....	No limit
State agricultural production fund (710-00-2050-5100).....	No limit
Land and water conservation fund – state (710-00-3794-3920).....	No limit
Land and water conservation fund – local (710-00-3794-3795).....	No limit
Development and promotions fund (710-00-2097-2010).....	No limit
Department of wildlife and parks private gifts and donations fund (710-00-7335-7000).....	No limit
Fish and wildlife restitution fund (710-00-2166-2750).....	No limit
Parks restitution fund (710-00-2156-2100).....	No limit
Nonfederal grants fund (710-00-2063-2090).....	No limit
Disaster grants – public assistance fund (710-00-3005-3005).....	No limit
Soil/water conservation fund (710-00-3083-3083).....	No limit
Navigation projects fund (710-00-3191-3191).....	No limit
Recreation resource management fund (710-00-3197-3197).....	No limit
Cooperative endangered species conservation fund (710-00-3198-3198).....	No limit
Landowner incentive program fund (710-00-3200-3210).....	No limit
Bulletproof vest partnership fund (710-00-3216-3216).....	No limit
Recreational trails	

program fund (710-00-3238-3238).....	No limit
Highway planning/ construction fund (710-00-3333-3333).....	No limit
Americorps – ARRA fund (710-00-3404-3405).....	No limit
Cooperative forestry assistance fund (710-00-3426-3426).....	No limit
North America wetland conservation fund (710-00-3453-3453).....	No limit
Wildlife services fund (710-00-3485-3485).....	No limit
Fish/wildlife management assistance fund (710-00-3495-3495).....	No limit
Fish/wildlife core act fund (710-00-3513-3513).....	No limit
Great plains LCC.....	No limit
USDA grant manual update.....	No limit
Watershed protection/flood prevention fund (710-00-3906-3906).....	No limit
Suspense fund (710-00-9159-9000).....	No limit
Employee maintenance deduction clearing fund (710-00-9120-9100).....	No limit
Cabin revenue fund (710-00-2668-2660).....	No limit
Feed the hungry fund (710-00-2642-2640).....	No limit
State wildlife grants fund (710-00-3204-3204).....	No limit
Boating safety financial assistance fund (710-00-3251-3250).....	No limit
Wildlife restoration fund (710-00-3418-3418).....	No limit
Sport fish restoration fund (710-00-3490-3490).....	No limit
Outdoor recreation acquisition, development and planning fund (710-00-3794-3794).....	No limit
Publication and other sales fund (710-00-2399-2399).....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2023, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2023:

And provided further, That the secretary of wildlife and parks shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund (710-00-2493-2493).....	No limit
Enforce underage drinking law fund (710-00-3219-3219).....	No limit
Migratory bird monitoring (710-00-3504-3504).....	No limit
Voluntary public access (710-00-3557-3557).....	No limit
Energy efficiency/conservation block grant fund (710-00-3157-3157).....	No limit
Endangered species – recovery fund (710-00-3209-3209).....	No limit
Wetlands reserve program fund (710-00-3007-3060).....	No limit
Adaptive science fund (710-00-3015-3050).....	No limit
Economic adjustment assistance fund.....	No limit
Law enforcement agency support fund.....	No limit

(c) During the fiscal year ending June 30, 2023 in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2023, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2023, from which expenditures may be made for salaries and wages, for progression within the existing pay structure for natural resource officers of the Kansas department of wildlife and parks: *Provided, however;* That notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the secretary of wildlife and parks shall not require such officer to transfer into the unclassified service in order to progress within the existing pay structure pursuant to this subsection.

(d) Notwithstanding the provisions of K.S.A. 32-9,100, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the Kansas department of wildlife and parks from moneys appropriated from the wildlife fee fund (710-00-2300-2880) of the Kansas department of wildlife and parks for the fiscal year ending June 30, 2023, by this or any other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2023 to issue senior lifetime hunting and fishing licenses to Kansas resident disabled veterans who are 65 years of age or older: *Provided,* That such licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks: *Provided further;* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions and have a disability certified by the Kansas

commission on veterans affairs office as being service-related and such service-connected disability is equal to or greater than 30%.

Sec. 135.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Categorical aid NHTSA national priority (276-00-4100-3035).....	No limit
Unmanned aerial systems – UAS aviation only (276-00-4100-6400).....	No limit

Sec. 136.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100) .....	No limit
<i>Provided, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.</i>	
Special city and county highway fund (276-00-4220-4220) .....	No limit
County equalization and adjustment fund (276-00-4210-4210).....	\$2,500,000
Highway special permits fund (276-00-2576-2576).....	\$0
Highway bond debt service fund (276-00-4707-9000).....	No limit
Rail service improvement fund (276-00-2008-2100).....	No limit
Transportation revolving fund (276-00-7511-1000).....	No limit
Rail service assistance program loan guarantee fund (276-00-7502-7200).....	No limit
Railroad rehabilitation loan guarantee fund (276-00-7503-7500).....	No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2023, in satisfaction of liabilities arising from the unconditional guarantee of payment that was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel  
sales fund (276-00-2298-2400).....No limit

*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to other state agencies: *Provided further*; That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to other state agencies: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to other state agencies: *And provided further*; That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation  
assistance fund (276-00-2572-0300).....No limit

Public use general aviation airport  
development fund (276-00-4140-4140).....No limit

Highway bond  
proceeds fund (276-00-4109-4110).....No limit

Communication system  
revolving fund (276-00-7524-7700).....No limit

Traffic records  
enhancement fund (276-00-2356-2000).....No limit

Other federal grants fund (276-00-3122-3100).....No limit

Kansas intermodal transportation  
revolving fund (276-00-7552-7551).....No limit

Conversion of materials and  
equipment fund (276-00-2256-2256).....No limit

Seat belt safety fund (276-00-2216-2216).....No limit

Driver's education scholarship  
grant fund (276-00-2851-2851).....No limit

Transportation technology  
development fund (276-00-2835-2835).....No limit

*Provided*, That notwithstanding the provisions of K.S.A. 2021 Supp. 75-5093, and amendments thereto, or any other statute, expenditures shall be made by the above

agency for the fiscal year ending June 30, 2023, from the transportation technology development fund to allow postsecondary educational institutions, as defined in K.S.A. 74-3201b, and amendments thereto, and private postsecondary educational institutions, as defined in K.S.A. 74-32,163, and amendments thereto, to apply for grants from such fund: *Provided further*, That postsecondary educational institutions, private postsecondary educational institutions and local units of government may use state moneys as a match for such grants.

Broadband infrastructure construction grant fund (276-00-2836-2836).....No limit

Short line rail improvement fund (276-00-2837-2837).....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2023, from the state highway fund (276-00-4100-4100) for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2023, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403).....\$305,591,473

*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees (276-00-4100-2200).....No limit

*Provided*, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Categorical aid NHTSA national priority (276-00-4100-3035).....No limit

Unmanned aerial systems – UAS aviation only (276-00-4100-6400).....No limit

Substantial maintenance (276-00-4100-0700).....No limit

Claims (276-00-4100-1150).....No limit

Payments for city connecting links (276-00-4100-6200).....\$5,360,000

Federal local aid programs (276-00-4100-3000).....No limit

Bond services fees (276-00-4100-0580).....No limit

Other capital improvements (276-00-4100-8075).....No limit



*Provided*, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair (276-00-4100-8005).....	\$4,200,000
Buildings – reroofing (276-00-4100-8010).....	\$527,117
Buildings – other construction, renovation and repair (276-00-4100-8070).....	\$18,248,376
Buildings – purchase land (276-00-4100-8065).....	\$45,000

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2023, expenditures may be made by the above agency from the state highway fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2023 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2022, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2023.

(d) During the fiscal year ending June 30, 2023, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2023 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2023 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2023, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2023, upon notification from the secretary of transportation that an amount is due and payable from the railroad

rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2023, from the state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2023.

(h) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2023, the secretary of transportation shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links: *Provided*, That all moneys so distributed shall be used solely for the maintenance of city connecting links: *Provided further*, That such apportionment shall apply only to those city connecting link lanes maintained by the city, and shall not apply to city connecting link lanes maintained by the secretary pursuant to agreement with the city: *And provided further*, That, as used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary.

(i) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the driver's education scholarship grant fund (276-00-2851-2851) of the department of transportation: *Provided*, That the secretary of transportation is hereby authorized to transfer additional moneys from the state highway fund to the driver's education scholarship grant fund during the fiscal year ending June 30, 2023: *Provided further*, That the secretary shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 137. In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2023, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2023 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance: (a) Equal to \$354.15 for the two-week period that coincides with the first biweekly payroll period, which is chargeable to fiscal year 2023 and for each of the 14 ensuing two-week periods thereafter; and (b) equal to \$354.15 for the two-week period that coincides with the biweekly payroll period, which includes March 19, 2023, which is chargeable to fiscal year 2023 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2023, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this section for

such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods, for which such allowance is payable in accordance with this section and which are chargeable to fiscal year 2023.

Sec. 138. (a) On June 30, 2023, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2023, the director of accounts and reports shall determine and notify the director of the budget if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2023, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2023, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2023. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 139. (a) During the fiscal year ending June 30, 2023, in addition to the requirements of K.S.A. 75-6701, and amendments thereto, and in addition to the other purposes for which expenditures may be made by the division of the budget, the department of health and environment, the Kansas department for children and families, the Kansas department for aging and disability services and the legislative research department from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 as authorized by this or any other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by such agencies from such moneys to advise and consult with the chairperson and ranking minority member of the house of representatives committee on social services budget and the chairperson of and a member of the minority party serving on the appropriate subcommittee of the senate committee on ways and means in the development and revision of human services consensus caseload estimates: *Provided*, That nothing in this subsection shall be construed to require the release of any information that is made confidential by state or federal law.

Sec. 140.

#### STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$49,100,000

*Provided*, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year 2023.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$578,211

*Provided*, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2023.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$75,459

*Provided*, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increase, including associated employer contributions, during fiscal year 2023.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$7,739

*Provided*, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2023.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2023, the following:

State employee pay increase.....\$7,999

*Provided*, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the Kansas endowment for youth fund of the salary increase, including associated employer contributions, during fiscal year 2023.

(f) Upon recommendation of the director of the budget, the state finance council, acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve: (1) Increases in expenditure limitations on special revenue funds and accounts and increase the transfers between special revenue funds as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2023; and (2) the expenditure of any remaining moneys in any account

appropriated in subsections (a) through (e) to address salary inequities in any state agency as identified by the director of the budget in consultation with the director of personnel services. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts and increase the transfers between special revenue funds in accordance with such approval for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2023.

(g) (1) Except as provided in subsection (h) of this section, effective with the first payroll period chargeable to the fiscal year ending June 30, 2023, a benefits-eligible employee shall be eligible for a salary increase of two steps for employees in the classified service, including associated employer contributions, and each pay grade of the classified pay matrix shall be extended upward by two steps.

(2) Except as provided in subsection (h) of this section, effective with the first payroll period chargeable to the fiscal year ending June 30, 2023, all state agencies shall receive a sum equivalent to the total of 5.0 percent, rounded to the nearest penny, of the salaries of all benefits eligible unclassified employees in said agency, to be distributed as a merit pool.

(h) (1) Notwithstanding the provisions of K.S.A. 46-137a and 46-137b, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to the compensation or bi-weekly allowance paid to each member of the legislature.

(2) Notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to state officers elected on a statewide basis.

(3) The provisions of subsection (g) shall not apply to:

(A) Teachers and licensed personnel and employees at the Kansas state school for the deaf or the Kansas state school for the blind.

(B) Employees assigned to a trooper or officer classification of the Kansas highway patrol.

(C) Employees who are hourly employees who received salary increases pursuant to the 24/7 pay plan adopted by the state finance council.

(D) Kansas bureau of investigation commissioned officers and forensic scientists who received an agency salary enhancement in fiscal year 2022, are anticipated to receive an agency salary enhancement in fiscal year 2023, or may receive such salary enhancements in both fiscal years.

(E) Employees of the following agencies who received an agency salary enhancement in fiscal year 2022, are anticipated to receive an agency salary enhancement in fiscal year 2023, or may receive such salary enhancements in both fiscal years: State board of indigents' defense services, office of administrative hearings, state fire marshal and Kansas sentencing commission.

(F) Any other employees on a formal, written career progression plan implemented by executive directive.

Sec. 141.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities (173-00-1000-8500).....\$3,449,493

*Provided*, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Docking state office building rehabilitation and repair (173-00-1000).....\$60,000,000

*Provided*, That if the above agency, in consultation with the director of the budget, determines that federal moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief are eligible to be used for any such capital improvement projects in addition to the federal funds currently encumbered for such capital improvement project, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, are unencumbered during fiscal year 2023 and may be used for the purposes of this proviso, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports and then, on the date of such certification, of the \$60,000,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by this section from the state general fund in the Docking state office building rehabilitation and repair account (173-00-1000), an amount equal to such certified amount is hereby lapsed: *Provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Debt service refunding – 2016H (173-00-1000-0464).....\$6,289,875

Debt service refunding – 2019F/G (173-00-1000-0465).....\$6,575,466

Debt service refunding – 2020R (173-00-1000).....\$12,047,450

Debt service refunding – 2020S (173-00-1000).....\$774,000

Debt service refunding – 2021P (173-00-1000).....\$5,764,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Veterans memorial fund (173-00-7253-7250).....No limit
- State facilities gift fund (173-00-7263-7290).....No limit
- Master lease program fund (173-00-8732).....No limit
- State buildings
  - depreciation fund (173-00-6149-4500).....No limit
- Executive mansion gifts fund (173-00-7257-7270).....No limit
- Topeka state hospital cemetery memorial
  - gift fund (173-00-7337-7240).....No limit
- Capitol area plaza authority
  - planning fund (173-00-7121-7035).....No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

- Statehouse debt service – state
  - highway fund (173-00-2861-2861).....No limit
- Debt service refunding – 2019F/G –
  - state highway fund (173-00-2823-2823).....No limit
- Debt service refunding – 2020R –
  - state highway fund (173-00-2865-2865).....No limit
- Debt service refunding – 2020S –
  - state highway fund (173-00-2866-2866).....No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028) for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Parking improvements
  - and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects –  
debt service (173-00-6149-4520).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2023.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Eisenhower building purchase and renovation –  
debt service (173-00-6148-4610).....No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2023, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2022: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2023 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2023.

Sec. 142.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2023, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-2275).....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2023, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:



Rehabilitation and repair (300-00-3275).....No limit  
Sec. 143.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

KDHE lab (264-00-1000).....\$32,500,000

*Provided*, That if the above agency, in consultation with the director of the budget, determines that federal moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief are eligible to be used for any such capital improvement projects in addition to the federal funds currently encumbered for such capital improvement project, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, are unencumbered during fiscal year 2023 and may be used for the purposes of this proviso, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports and then, on the date of such certification, of the \$32,500,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by this section from the state general fund in the KDHE lab account (264-00-1000), an amount equal to such certified amount is hereby lapsed: *Provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 144.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$11,335,142

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2023 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*; That expenditures also may be made from this account during fiscal year 2023 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – state hospitals  
rehabilitation and repair (039-00-8100-8325).....\$2,586,200

Ligature resistant furniture (410-00-8100) .....	\$80,926
Larned state hospital – city of Larned wastewater treatment (410-00-8100-8300).....	\$129,620

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 145.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund (296-00-3336-3110).....	No limit
--	----------

*Provided*, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2023 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2023 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*; That the net proceeds from the sale of any of the real estate of the department of labor

shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2023, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2023 for the following capital improvement projects: Payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2023 for such capital improvement purposes shall not exceed \$1,555,000.

Sec. 146.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and  
repair projects (694-00-1000-0904).....\$127,000

*Provided*, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and  
repair projects (694-00-8100-7100).....\$785,359

Veterans' home rehabilitation and  
repair projects (694-00-8100-8250).....\$1,040,856

Sec. 147.

KANSAS STATE SCHOOL FOR THE BLIND

(a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by section 95 or section 151 of chapter 98 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2022 to request through the

appropriate strengthening people and revitalizing Kansas executive committee advisory panel from the moneys from the federal government received by the state of Kansas for aid for coronavirus relief an amount of not more than \$919,504 for capital improvement projects: *Provided*, That if the above agency receives such federal funds for the capital improvement projects following authorization by the state finance council pursuant to section 63 of chapter 116 of the 2021 Session Laws of Kansas, then on the effective date of such authorization, the amounts appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2022, by section 151(a) or section 200 of chapter 98 of the 2021 Session Laws of Kansas from the following accounts in the state institutions building fund are hereby lapsed as specified for each account pursuant to such authorization: Rehabilitation and repair projects account (604-00-8100-8108), security system upgrade project account (604-00-8100-8130), and campus boiler and HVAC upgrade account (604-00-8100-8145).

Sec. 148.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$278,250
Security system upgrade project (604-00-8100-8130).....	\$144,545
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$300,234
Walk-in refrigerator replacement.....	\$215,266
Electrical safety upgrade.....	\$48,300
Brighton building elevator.....	\$283,235

(b) During the fiscal year ending June 30, 2023, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2023 to request through the appropriate strengthening people and revitalizing Kansas executive committee advisory panel from the moneys from the federal government received by the state of Kansas for aid for coronavirus relief an amount of not more than \$1,269,830 for capital improvement projects: *Provided*, That if the above agency receives such federal funds for the capital improvement projects following authorization by the state finance council pursuant to section 22(d), then on the effective date of such authorization, the amounts appropriated for the above agency for the fiscal year ending June 30, 2023, by section 76(a) from the following accounts in the state institutions building fund are hereby lapsed as specified for each account pursuant to such authorization: Rehabilitation and repair projects account (604-00-8100-8108), security

system upgrade project account (604-00-8100-8130), and campus boiler and HVAC upgrade account (604-00-8100-8145).

Sec. 149.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated from the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$325,238
Campus boilers and HVAC upgrades (610-00-8100-8145).....	\$571,230
Campus life safety and security (610-00-8100-8130).....	\$194,495
Foltz gym wall.....	\$70,000
Roberts building classroom renovation.....	\$114,035
Walk-in refrigerator replacement.....	\$254,910

Sec. 150.

STATE HISTORICAL SOCIETY

(a) There is appropriated from the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Rehabilitation and repair projects (288-00-1000-8088).....	\$375,000
--	-----------

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....	No limit
---	----------

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2023.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2023 for the following capital improvement project or projects, subject to the

expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2023.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, law enforcement memorial fund and historical preservation grant in aid fund for fiscal year 2023, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2022: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2023 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2023.

Sec. 151.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Memorial union project –  
debt service 2020F (379-00-5161-5040).....No limit

Student housing projects –  
debt service 2017D (379-00-5169-5050).....No limit

Twin towers housing project –  
debt service 2017D (379-00-5120-5030).....No limit

Parking maintenance projects (379-00-5186-5060).....No limit

Rehabilitation and  
repair projects (379-00-2526-2040).....No limit

Rehabilitation and repair projects (379-00-2069-2010).....No limit

Student housing projects (379-00-5650-5120).....No limit

Deferred maintenance projects (379-00-2485-2485).....No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to

classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

Sec. 152.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – debt service 2016B (246-00-5103-5020).....	No limit
Memorial union renovation – debt service 2005G (246-00-5102-5010).....	No limit
Memorial union addition – debt service 2020C (246-00-2510-2040).....	No limit
Memorial union project (246-00-2510-2040).....	No limit
Energy conservation – debt service (246-00-2035-2000).....	No limit
Wiest hall replacement – debt service 2016B (246-00-5103-5020).....	No limit
Deferred maintenance projects (246-00-2483-2483).....	No limit
Forsyth library renovation (246-00-2035-2000).....	No limit
Rarick hall renovation (246-00-2035-2000).....	No limit
Akers energy center project (246-00-2035-2000).....	No limit
Student union rehabilitation and repair projects (246-00-5102-5010).....	No limit
Rehabilitation and repair projects (246-00-2035-2000).....	No limit
Rehabilitation and repair projects (246-00-2510-2040).....	No limit
Student housing rehabilitation and repair projects (246-00-5103-5020).....	No limit
Parking maintenance projects (246-00-5185-5050).....	No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make

expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

Sec. 153.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Energy conservation projects –
  - debt service 2021A, 2012F/H, 2017B  
(367-00-2062-2000; 367-00-5163-4500).....No limit
- Research initiative debt service
  - 2021A (367-00-2901-2106).....No limit
- Chiller plant project –
  - debt service 2015B (367-00-2062-2000).....No limit
- Recreation complex project – debt service
  - 2021A, 2010G1/2 (367-00-2520-2080).....No limit
- Student union renovation project –
  - debt service 2016A (367-00-2520-2080).....No limit
- Electrical upgrade project – debt service 2017E  
(367-00-2520-2080; 367-00-2484-2484).....No limit
- Salina student life center project – debt service  
2008D (367-00-5111-5101).....No limit
- Childcare development center project –
  - debt service 2019C (367-00-5125-5101).....No limit
- Jardine housing project – debt service 2022D/  
2014D/2015B/2011G-1 (367-00-5163-4500).....No limit
- Wefald dining and residence hall project – debt  
service 2022D/2014D-2 (367-00-5163-4500).....No limit
- Union parking –
  - debt service 2016A (367-00-5181-4630).....No limit
- Seaton hall renovation –
  - debt service 2016A (367-00-2520-2080).....No limit



Chemical landfill – debt service refunding 2011G-2 (367-00-2901-2160).....	No limit
Derby dining center project – debt service 2019C (367-00-5163-4500).....	No limit
Capital lease – debt service (367-00-2062-2000).....	No limit
Capital lease – debt service (367-00-2520-2080).....	No limit
Capital lease – debt service (367-00-5117-4430).....	No limit
Rehabilitation and repair projects (367-00-2062-2000; 367-00-2062-2080).....	No limit
Deferred maintenance projects (367-00-2484-2484).....	No limit
Parking maintenance projects (367-00-5181-4638).....	No limit
Student housing projects (367-00-5163-4500).....	No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

Sec. 154.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (369-00-2697-1100).....	No limit
Capital lease – debt service (369-00-2921-1200).....	No limit

Sec. 155.

KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (368-00-5160-5300).....No limit  
Sec. 156.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Building renovations – debt service 2014A1  
(385-00-2833-2831; 385-00-5106-5105).....No limit
- Overman student center –  
debt service 2014A2 (385-00-2820-2820).....No limit
- Deferred maintenance projects (385-00-2486-2486).....No limit
- Student health center –  
debt service 2009G (385-00-2828-2851).....No limit
- Overman student  
center project (385-00-2820-2820).....No limit
- Rehabilitation and  
repair projects (385-00-2833-2831).....No limit
- Student housing maintenance projects (385-00-5646-5160).....No limit
- Parking maintenance projects (385-00-5187-5060).....No limit
- Energy conservation projects –  
debt service 2011D/D3, 2015M,  
2014A-1 (385-00-5165-5050).....No limit
- Student housing project – debt  
service 2011D1 (385-00-2833-2830).....No limit
- Student housing projects – debt service  
2014A2, 2011D1/D3,  
2014A1, 2020H (385-00-5165-5050).....No limit
- Student housing projects – debt  
service 2011D1 (385-00-5646-5160).....No limit
- Parking facility – debt service  
2020H (385-00-5187-5060).....No limit
- Tyler scientific research center – debt  
service 2015K (385-00-2903-2903).....No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by

the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

Sec. 157.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Student housing projects –
  - debt service 2014C, 2017A, 2020B, 2021D (682-00-5142-5050).....No limit
- Engineering facility – debt service 2021D (682-00-2153-2153; 682-00-2545-2080).....No limit
- Student recreation center –
  - debt service 2017A (682-00-2864-2860).....No limit
- Parking facilities – debt service 2014C, 2017A (682-00-5175-5070).....No limit
- McCollum hall parking –
  - debt service 2014C (682-00-5175-5070).....No limit
- Energy conservation projects – debt service 2020B (682-00-2107-2000).....No limit
- Energy conservation projects –
  - debt service (682-00-2545-2080).....No limit
- Earth, energy and environment center –
  - debt service 2017A (682-00-2545-2080).....No limit
- Parking maintenance projects (682-00-5175-5070).....No limit
- Student housing
  - maintenance projects (682-00-5621-5110).....No limit
- Rehabilitation and
  - repair projects (682-00-2107-2000).....No limit
- Kansas law enforcement training
  - center projects (682-00-2133-2020).....No limit
- Rehabilitation and
  - repair projects (682-00-2545-2080).....No limit
- Deferred maintenance projects (682-00-2487-2487).....No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make

expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

Sec. 158.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Health education building – debt service 2017A (683-00-2108-2500).....	No limit
Energy conservation – debt service 2020B (683-00-2108-2500).....	No limit
Hemenway research initiative – debt service 2020B (683-00-2907-2800; 683-00-2108).....	No limit
KUMC research institute – debt service 2020B (683-00-2907-2800; 683-00-2108).....	No limit
Parking garage 3 – debt service 2014C (683-00-5176-5550).....	No limit
Parking garage 4 – debt service 2020B (683-00-5176-5550).....	No limit
Parking garage 5 – debt service 2016C (683-00-5176-5550).....	No limit
Deferred maintenance projects (683-00-2488-2488).....	No limit
Rehabilitation and repair projects (683-00-2108-2500).....	No limit
Rehabilitation and repair projects (683-00-2394-2390).....	No limit
Rehabilitation and repair projects (683-00-2551-2600).....	No limit
Rehabilitation and repair projects (683-00-2907-2800).....	No limit
Rehabilitation and	

repair projects (683-00-2915-2915).....No limit  
 Parking maintenance projects (683-00-5176-5550).....No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

Sec. 159.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation –  
 debt service (715-00-2112-2000).....No limit  
 Rhatigan student center –  
 debt service 2012A1 (715-00-2558-2030).....No limit  
 Engineering research lab – debt  
 service 2012A-2 (715-00-2558-2030).....No limit  
 Shocker residence hall –  
 debt service 2021L (715-00-5100-5250).....No limit  
 Parking garage – debt  
 service 2016J (715-00-5148-5000).....No limit  
 Fairmont towers – debt  
 service 2012A2 (715-00-5620-5270).....No limit  
 Woolsey hall – school of business  
 debt service 2020P (715-00-2112-2000).....No limit  
 Flats and suites –  
 debt service 2020P (715-00-5100-5250).....No limit  
 Deferred maintenance projects (715-00-2489-2489).....No limit  
 Rehabilitation and repair projects  
 (715-00-2558-2558; 715-00-2908-2080).....No limit  
 Parking maintenance projects (715-00-5159-5040).....No limit  
 Clinton hall – debt service (715-00-2558).....No limit

Convergence sciences 2 – debt service 2021L (715-00-2558).....	No limit
Marcus welcome center project (715-00-2558).....	No limit
Student housing projects (715-00-5100-5250).....	No limit
Pandemic-related projects (715-00-3149; 715-00-3753).....	No limit

(b) During the fiscal year ending June 30, 2023, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2022 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2021.

(c) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023, or fiscal year 2024, as authorized by this or other appropriation act of the 2022 or 2023 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023, or fiscal year 2024 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the renovation and equipment of Clinton hall on the campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$16,400,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the renovation of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the building.

Sec. 160.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

State universities facilities capital renewal initiative (561-00-1000).....\$35,000,000

*Provided*, That any expenditures made by the board of regents or a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, from such account during fiscal year 2023 shall be for non-recurring commitments for the purpose of increasing annual investment in deferred maintenance to eliminate the backlog and adequately maintain state educational institution campuses in a state of good repair: *Provided further*; That all expenditures from such account shall require a match of nonstate moneys on a \$1-for-\$1 basis, from either the state educational institution or private moneys.

Demolition of buildings.....\$10,000,000

*Provided*, That all expenditures from the demolition of buildings account in fiscal year 2023 shall be only for the demolition or razing of buildings on the campus of postsecondary educational institutions as defined by K.S.A. 74-3201b, and amendments thereto: *Provided further*; That expenditures of \$750,000 shall be made in fiscal year 2023 for demolition of buildings at Washburn university in Topeka, Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational building fund.....No limit

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning, new construction and razing, approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Sec. 161.

STATE BOARD OF REGENTS

(a) Any unencumbered balance in the demolition of buildings account of the state general fund for the above agency in excess of \$100 as of June 30, 2023, is hereby

reappropriated for fiscal year 2024: *Provided*, That expenditures may be made from the demolition of buildings account in fiscal year 2024 for demolition of buildings at Washburn university in Topeka, Kansas.

Sec. 162.

STATE BOARD OF REGENTS

(a) Any unencumbered balance in the demolition of buildings account of the state general fund for the above agency in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That expenditures may be made from the demolition of buildings account in fiscal year 2025 for demolition of buildings at Washburn university in Topeka, Kansas.

Sec. 163.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Honor camp demolition (521-00-1000).....\$508,865

*Provided*, That expenditures shall be made by the above agency from the honor camp demolition account for fiscal year 2023 to raze any buildings at the honor camps in El Dorado and Toronto.

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of  
correctional institutions (521-00-8600-8240).....\$4,708,896

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2023 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2023 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment: *Provided further*, That expenditures shall be made by the above agency from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund for fiscal year 2023 to raze any buildings at the honor camps in El Dorado and Toronto.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Capital improvements –  
rehabilitation and repair of juvenile



correctional facilities (521-00-8100-8000)..... \$664,264

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2023 from the capital improvements – rehabilitation and repair account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of corrections to be expended during fiscal year 2023 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility  
infrastructure project (521-00-2834).....No limit  
Correctional industries fund capital unit (522-00-6126-7301).....No limit

Sec. 164.

ATTORNEY GENERAL –  
KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and  
repair projects (083-00-1000-0100).....\$100,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

KBI lab – debt service (083-00-1000-0820).....\$4,322,800

Sec. 165.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2023, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training  
center – Salina (280-00-2306-2004).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be

in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2023.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2023, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation  
and repair (280-00-2213-2401)..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2023.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2023, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and  
repair of buildings (280-00-2034-1115).....\$324,510

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2023.

(d) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$324,510 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2023 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2023 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2023, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation  
and repair (280-00-3545-3548).....No limit  
Troop F storage building (280-00-3545-3545).....No limit  
KHP federal forfeiture – new construction.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture –

federal fund for fiscal year 2023.

Sec. 166.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and

repair projects (034-00-1000-8000).....\$1,160,034

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Deferred maintenance (034-00-1000-0700).....\$2,500,000

*Provided*, That any unencumbered balance in the deferred maintenance account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Hays armory.....\$18,135,000

*Provided*, That all expenditures from the Hays armory account shall be for the design, construction and land purchase costs for a new Hays armory.

Sec. 167.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital

improvements fund (373-00-2533-2500).....No limit

(b) On or before the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2023, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 168.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Department access road fund (710-00-2178-2760).....No limit

*Provided,* That, in addition to the other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070).....No limit

Office of the secretary building fund.....No limit

(b) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,402,545 from the state highway fund (276-00-4100-4100) of the department of transportation to the department access road fund (710-00-2178-2760) of the Kansas department of wildlife and parks.

(c) On July 1, 2022, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the bridge maintenance fund (710-00-2045-2070) of the Kansas department of wildlife and parks.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement.....No limit

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2023.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects (710-00-2122-2066).....\$2,300,000

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2023.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$75,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2023.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....\$300,000

Land acquisition (710-00-2300-3040).....\$400,000

Federally mandated

boating access (710-00-2300-4360).....\$945,000

Rehabilitation and repair (710-00-2300-3262).....\$4,279,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2023.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....\$300,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2023.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3418-3422).....\$2,947,500

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2023.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2023 for the following capital improvement project or projects, subject to the

expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$500,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2023.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2023.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation  
development (710-00-3794-3794).....\$1,500,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2023.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$1,680,400

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2023.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2023 for the following capital improvement project or projects, subject to the

expenditure limitations prescribed therefor:

FLW-AG land capital improvements.....\$50,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2023.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2023, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2023 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2023.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, nonfederal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, other federal grants fund and recreation resource management fund for fiscal year 2023, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2023 from the unencumbered balance as of June 30, 2022, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2022: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2023 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2023.

Sec. 169. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Emporia state university, to sell and convey all of the

rights, title and interest subject to all easements and appurtenances in the following described real estate, 1601 State Street, located in the city of Emporia, Lyon county, Kansas:

#### SITE DESCRIPTION

The subject site is located on the west side of State Street, approximately 380 feet north of the intersection of Fifteenth Avenue and State Street. The subject site is irregular in shape and contains approximately 2 acres. The site has approximately 50 feet of frontage along State Street for a drive that extends west approximately 130 feet, and then the site is mostly rectangular. The street that fronts the subject is paved. The site is level at street grade and has all public utilities available. There are paved parking lots on the north, south and east sides of the property.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Emporia state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 170. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of the university of Kansas, to exchange and convey the real property described in subsection (b) to the Kansas university endowment association in consideration for which the Kansas university endowment association is hereby authorized to exchange and convey the real property described in subsection (c) to the university of Kansas.

(b) In accordance with the provisions of this section, the state board of regents is hereby authorized to exchange and convey the following described real property in Douglas county, Kansas, to the Kansas university endowment association:

(1) OREAD ADD BLK 4 S 23 FT LT 1 &ALL LT 2;ALSO THAT PART OF LOUISIANA ST ADJ TO SD LTS VAC 7-23-91 BK 459/1274;ALSO E 4 FT LT 11;

(2) COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 88° 07'24" WEST (THIS AND ALL THE FOLLOWING BEARINGS ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE 1983) COINCIDENT WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1174.02 FEET;



THENCE SOUTH 01° 34'35" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BOB BILLING PARKWAY AS IT EXISTS TODAY, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01° 34'35" EAST, A DISTANCE OF 42.69 FEET; THENCE NORTH 88° 25'25" EAST, A DISTANCE OF 21.50 FEET; THENCE SOUTH 01° 34'35" EAST, A DISTANCE OF 135.00 FEET; THENCE SOUTH 88° 07'24" WEST A DISTANCE OF 553.36 FEET; THENCE SOUTH 75° 25'18" WEST, A DISTANCE OF 169.99 FEET; THENCE NORTH 14° 33'31" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 01° 52'36" WEST, A DISTANCE OF 98.10 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF BOB BILLINGS PARKWAY; THENCE NORTH 88° 07'24" EAST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 724.96 FEET TO THE POINT OF BEGINNING; and

(3) A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 13 SOUTH, RANGE 19, EAST OF THE 6<sup>TH</sup> P.M. IN DOUGLAS COUNTY, KANSAS, AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE NORTH 01 DEGREE 32 MINUTES 58 SECONDS WEST, A DISTANCE OF 1323.44 FEET TO A POINT IN THE CENTER OF THE INTERSECTION OF 21<sup>ST</sup> AND IOWA STREET; THENCE SOUTH 88 DEGREES 27 MINUTES 02 SECONDS WEST, A DISTANCE OF 100.00 FEET, TO THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE ON MARCH 4, 1993 AND THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 06 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 189.11 FEET; THENCE NORTH 58 DEGREES 47 MINUTES 58 SECONDS WEST, ALONG THE SOUTHWESTERLY LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 63.84 FEET; THENCE NORTH 26 DEGREES 44 MINUTES 14 SECONDS EAST, A DISTANCE OF 177.28 FEET; THENCE NORTH 87 DEGREES 35 MINUTES 26 SECONDS EAST, TO THE EAST LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 158.46 FEET; THENCE SOUTH 01 DEGREE 32 MINUTES 58 SECONDS EAST, ALONG THE EAST LINE OF SAID TRACT OF LAND RECORDED IN BOOK 488, PAGE 1001 IN THE DOUGLAS COUNTY REGISTER OF DEEDS OFFICE, A DISTANCE OF 204.39 FEET, TO THE SOUTHEAST CORNER OF SAID TRACT AND TO THE POINT OF BEGINNING.

THE ABOVE CONTAINS 40,000 SQUARE FEET, MORE OR LESS, OR 0.918 ACRES, MORE OR LESS AND IS SUBJECT TO ANY OR ALL EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES, IF ANY.

(c) In accordance with the provisions of this section, the university of Kansas is hereby authorized to accept title to the following described real property in Douglas county, Kansas, conveyed to the university of Kansas by the Kansas university

endowment association:

95.06A 2-13-19 NW 1/4, LESS 2.5A IN SWCOR NW QR, LESS 5.12A D 271/587, LESS 19.19A D 438/503, LESS 0.423A D 619/996, LESS 0.279A D 619/997, LESS 0.27A D 619/998, LESS 12.856A D 271/588, LESS 8.947A PLATTED TO KUEA STORAGE FACILITY ADD FILED 09/21/2006 BK P 18/65, LESS2-13-19 NW 1/4, LESS 2.5A IN SWCOR NW QR, LESS 5.12A D 271/587, LESS 19.19A D 438/503, LESS 0.423A D 619/996, LESS 0.279A D 619/997, LESS 0.27A D 619/998, LESS 12.856A D 271/588, LESS 8.947A PLATTED TO KUEA STORAGE FACILITY ADD FILED 09/21/2006 BK P 18/65, LESS 4.058A D 1024/4393, LESS D 1060/5423 104.277A, LESS THAT PART OF .771A TR D 1102/249 (U15540F & G SPLIT 2013) 4.058A D 1024/4393, LESS D 1060/5423, LESS A PORTION DESC AS; COM AT SW COR OF NW1/4; TH N88DEG08'30"E (BEARING BASED O).

(d) The exchange and conveyance of real property by the state board of regents under this section shall be executed in the name of the state board of regents by its chairperson and executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. No exchange and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and, if warranty deeds are to be the instruments of conveyance, title reviews have been performed or title insurance has been obtained and the title opinion or the certificates of title insurance, as the case may be, have been approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-6609, and amendments thereto.

Sec. 171. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate located in Riley county, Kansas: A tract of land located in the southeast quarter of Section 1, Township 10 South, Range 7 East of the 6<sup>th</sup> P.M., in the City of Manhattan, Riley county, Kansas, more particularly described as follows:

Commencing at the south quarter corner of said Section 1; Thence along the south line of the southeast quarter of said Section 1 N. 87°05'38" E. 87.63 feet; Thence perpendicular to the south line of the southeast quarter of said Section 1 N. 02°54'22" W. 60.00 feet to the point of beginning on the north right of way line of Kimball Avenue, a public street in the City of Manhattan; Thence along the north right of way line of said Kimball Avenue, being parallel with and 60.00 feet north of the south line of

the southeast quarter of said Section 1 N. 87°05'38" E. 1654.83 feet; Thence N. 02°54'22" W. 305.36 feet; Thence N. 52°37'24" W. 132.17 feet; Thence on a curve to the left with a radius of 170.00 feet, an arc length of 57.08 feet, the chord of said curve bears 56.81 feet N. 62°14'30" W.; Thence on a curve to the right with a radius of 130.00 feet, an arc length of 84.94 feet, the chord of said curve bears 83.44 feet N. 53°08'29" W.; Thence S. 56°37'29" W. 111.02 feet; Thence on a curve to the right with a radius of 230.00 feet, an arc length of 121.64 feet, the chord of said curve bears 120.23 feet S. 71°46'32" W.; Thence S. 86°55'36" W. 127.23 feet; Thence on a curve to the right with a radius of 230.00 feet, an arc length of 12.34 feet, the chord of said curve bears 12.34 feet S. 88°27'48" W.; Thence N. 90°00'00" W. 243.05 feet; Thence on a curve to the left with a radius of 120.00 feet, an arc length of 57.07 feet, the chord of said curve bears 56.53 feet S. 76°22'34" W.; Thence on a curve to the right with a radius of 180.00 feet, an arc length of 85.60 feet, the chord of said curve bears 84.80 feet S. 76°22'34" W.; Thence N. 90°00'00" W. 349.93 feet; Thence on a curve to the right with a radius of 280.00 feet, an arc length of 216.28 feet, the chord of said curve bears 210.94 feet N. 67°52'18" W.; Thence N. 45°44'35" W. 15.50 feet; Thence on a curve to the left with a radius of 120.00 feet, an arc length of 94.25 feet, the chord of said curve bears 91.84 feet N. 68°14'35" W.; Thence S. 89°15'25" W. 88.72 feet to the east right of way line of College Avenue, a public street in the City of Manhattan; Thence along the east right of way line of said College Avenue S. 00°43'29" E. 393.45 feet; Thence continuing along the east right of way line of said College Avenue S. 15°11'47" E. 141.19 feet to the point of beginning, containing 15.71 acres.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 172. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate located in Cherokee county, Kansas:

Commencing at a point on the southeast corner of Section 28, Township 34, South of Range 22 East; Thence North 330 feet; Thence West 660 feet; Thence South 330 feet;

Thence East 660 feet, to the place of beginning, containing 5 acres, in Cherokee county, Kansas.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 173. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate located in Douglas county, Nebraska:

Parcel 1

Lot 1, in PACIFIC PLAZA REPLAT 2, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

Parcel 2

Lot 2, in PACIFIC PLAZA REPLAT 2, an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the restricted fees account of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 174. (a) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the state board of regents from

moneys appropriated from the state general fund or from any special revenue fund or funds for the state board of regents for fiscal year 2022 by chapter 98 or chapter 116 of the 2021 Session Laws of Kansas, this or other appropriation act of the 2022 regular session of the legislature, expenditures shall be made by the state board of regents from such moneys, for and on behalf of Pittsburg state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate, located in the city of Pittsburg, Crawford county, Kansas:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 SOUTH, RANGE 25 EAST OF THE 6TH PRINCIPAL MERIDIAN, CRAWFORD COUNTY, KANSAS, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, HILLSIDE ADDITION TO THE CITY OF PITTSBURG; THENCE N89°48'57"W ON THE SOUTH LINE OF FORD AVENUE TO THE POINT OF BEGINNING A DISTANCE OF 70.00 FEET; THENCE S00°31'41"W A DISTANCE OF 173.88 FEET; THENCE N89°50'36"W TO THE EAST LINE OF JOPLIN AVENUE A DISTANCE OF 129.87 FEET; THENCE N00°32'40"E ON SAID EAST LINE A DISTANCE OF 167.91 FEET; THENCE N52°36'07"E ON SAID EAST LINE TO THE SOUTH LINE OF FORD AVENUE A DISTANCE OF 9.90 FEET; THENCE S89°48'57"E ON SAID SOUTH LINE TO THE POINT OF BEGINNING A DISTANCE OF 122.02 FEET. TRACT 2 CONTAINS 0.52 ACRES, MORE OR LESS.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the parking fees fund of Pittsburg state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 175. K.S.A. 2021 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) Except as provided further, on each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the

amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. ~~During the fiscal year ending June 30, 2021, no moneys shall be transferred from the state fair fee fund to the state fair capital improvement fund pursuant to this subsection.~~ For the fiscal year ending June 30, 2022, notwithstanding the other provisions of this section, on March 1, 2022, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year 2022 from state fair activities and non-fair days activities through March 1, 2022, except that, subject to approval by the director of the budget prior to March 1, 2022, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2022, the state fair board may certify an amount on March 1, 2022, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2022, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2022. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification. For the fiscal year ending June 30, 2023, notwithstanding the other provisions of this section, on March 1, 2023, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year 2023 from state fair activities and non-fair days activities through March 1, 2023, except that, subject to approval by the director of the budget prior to March 1, 2023, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2023, the state fair board may certify an amount on March 1, 2023, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, 2023, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2023. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

Sec. 176. K.S.A. 2021 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city that, pursuant to

K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 72-5142, and amendments thereto, within such redevelopment district. Except as provided further, to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified. During fiscal years ~~2021, 2022 and~~ 2023 and 2024, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund, which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 177. K.S.A. 2021 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2021 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) On ~~July 1, 2020~~, July 1, 2021, ~~and~~ July 1, 2022, and July 1, 2023, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, to the contrary, during ~~fiscal year 2021~~, fiscal year 2022 ~~and~~, fiscal year 2023 and fiscal year 2024, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before ~~January 10, 2022~~, January 9, 2023, ~~and~~ January 8, 2024, and January 13, 2025, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 178. K.S.A. 2021 Supp. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians,

hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and



environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund that shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All

expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. On July 1 of each year, the director of accounts and reports shall determine the amount credited to the medical assistance fee fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the newborn screening program for the ensuing fiscal year as certified by the secretary of health and environment or the secretary's designee to the Kansas newborn screening fund. Such amount shall not exceed \$2,500,000 in any one fiscal year, except that such amount shall not exceed \$5,000,000 in fiscal years ~~2021 and 2022~~ and 2023.

Sec. 179. K.S.A. 2021 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, ~~2020~~ 2021, and on the first day of each month thereafter during ~~fiscal year 2021~~, fiscal year 2022 ~~and~~, fiscal year 2023 and fiscal year 2024, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; ~~and~~ (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. During fiscal year 2022, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$8,500,000 for each such fiscal year. ~~During fiscal year 2021, fiscal year 2022 and fiscal year 2023 and fiscal year 2024, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$3,500,000~~ \$20,000,000 for each such fiscal year.

(b) Commencing on July 1, ~~2023~~ 2024, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 180. K.S.A. 2021 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (h), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund, which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) There is hereby established in the state treasury the national bio agro-defense facility fund, which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During fiscal years ~~2021, 2022 and 2023~~ and 2024, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 181. K.S.A. 2021 Supp. 75-2263 is hereby amended to read as follows: 75-2263. (a) Subject to the provisions of subsection (j), the board of trustees is responsible for the management and investment of that portion of state moneys available for investment by the pooled money investment board that is certified by the state treasurer to the board of trustees as being equivalent to the aggregate net amount received for unclaimed property and shall discharge the board's duties with respect to such moneys solely in the interests of the state general fund and shall invest and reinvest such moneys and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of such moneys within the limitations and according to the powers, duties and purposes as prescribed by this section.

(b) Moneys specified in subsection (a) shall be invested and reinvested to achieve the investment objective, which is preservation of such moneys and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this section. No such moneys shall be invested or reinvested if the sole or primary investment objective is for economic development or social purposes or objectives.

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

(d) In the discharge of such management and investment responsibilities the board of trustees may contract for the services of one or more professional investment advisors or other consultants in the management and investment of such moneys and otherwise in the performance of the duties of the board of trustees under this section.

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

(f) (1) Subject to the objective set forth in subsection (b) and the standards set forth in subsection (c), the board of trustees shall formulate and adopt policies and objectives

for the investment and reinvestment of such moneys and the acquisition, retention, management and disposition of investments of the moneys. Such policies and objectives shall be in writing and shall include:

- (A) Specific asset allocation standards and objectives;
- (B) establishment of criteria for evaluating the risk versus the potential return on a particular investment; and
- (C) a requirement that all investment advisors, and any managers or others with similar duties and responsibilities as investment advisors, shall immediately report all instances of default on investments to the board of trustees and provide such board of trustees with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment.

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

(g) Except as provided in subsection (d) and this subsection, the custody of such moneys shall remain in the custody of the state treasurer, except that the board of trustees may arrange for the custody of such moneys as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. All such moneys shall be considered moneys in the state treasury for purposes of K.S.A. 75-6704, and amendments thereto.

(h) All interest or other income of the investments of the moneys invested under this section, after payment of any management fees, shall be deposited in the state treasury to the credit of the state general fund.

(i) The state treasurer shall certify to the board of trustees a portion of state moneys available for investment by the pooled money investment board that is equivalent to the aggregate net amount received for unclaimed property. The state treasurer shall transfer the amount certified to the board of trustees. During fiscal years ~~2021, 2022 and~~ 2023 and 2024, the state treasurer shall not certify or transfer any state moneys available for investment pursuant to this subsection.

(j) As used in this section:

(1) "Board of trustees" means the board of trustees of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto.

(2) "Fiduciary" means a person who, with respect to the moneys invested under this section:

(A) Exercises any discretionary authority with respect to administration of the moneys;

(B) exercises any authority to invest or manage such moneys or has any authority or responsibility to do so;

(C) provides investment advice for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so;

(D) provides actuarial, accounting, auditing, consulting, legal or other professional services for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so; or

(E) is a member of the board of trustees or of the staff of the board of trustees.

Sec. 182. K.S.A. 2021 Supp. 75-6707 is hereby amended to read as follows: 75-

6707. (a) For the fiscal years ending June 30, 2022, ~~and June 30, 2023,~~ and June 30, 2024, the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of, or is less than, the amount of estimated tax receipt revenues to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund for the fiscal years ending June 30, 2022, ~~and June 30, 2023,~~ and June 30, 2024, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers shall be made pursuant to this section.

Sec. 183. K.S.A. 2021 Supp. 76-775 is hereby amended to read as follows: 76-775.

(a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2021,~~ June 30, 2022, ~~and June 30, 2023,~~ and June 30, 2024, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund, which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents

would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section, and amendments thereto, for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 184. K.S.A. 2021 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto, during the fiscal years ending ~~June 30, 2021~~, June 30, 2022, ~~and~~ June 30, 2023, ~~and~~ June 30, 2024, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 185. K.S.A. 2021 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2021~~, 2022, ~~and~~ 2023 ~~and~~ 2024; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2024~~ 2025 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant

to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 186. K.S.A. 2021 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts that in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2021, 2022 and~~ 2023 and 2024. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 187. K.S.A. 2021 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 2021 Supp. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2021, state fiscal year 2022 or~~ state fiscal year 2023 or state fiscal year 2024; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 188. K.S.A. 2021 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2021, June 30, 2022, or June 30, 2023, or June 30, 2024~~. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 79-34,170 through 79-34,175, and amendments thereto.



(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 189. K.S.A. 2021 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than  $\frac{1}{2}$  of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund, which are created by this section or for state fiscal years 2022 ~~and~~, 2023 and 2024, to an account or accounts of the fund created by appropriation acts.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds, which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects, which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government

guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. ~~In state fiscal year 2021, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$913,325 from the state economic development initiatives fund to the state water plan fund. In state fiscal year 2022, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$1,719,264 from the state economic development initiatives fund to the state water plan fund. In state fiscal year 2023, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 from the state economic development initiatives fund to the state water plan fund.~~ No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance that meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 190. K.S.A. 2021 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 are hereby repealed.

Sec. 191. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 192. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Sec. 193. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such

funds.

Sec. 194. *Savings.* (a) Any unencumbered balance as of June 30, 2022, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2023 by this or any other appropriation act of the 2022 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2023, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund or the correctional institutions building fund, or to any account of any of such funds.

Sec. 195. During the fiscal year ending June 30, 2023, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2022 regular session of the legislature are hereby appropriated for the fiscal year ending June 30, 2023, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority for the payment of debt service for bonds issued by the Kansas development finance authority or for any related purpose in accordance with applicable bond covenants.

Sec. 196. *Federal grants.* (a) During the fiscal year ending June 30, 2023, each federal grant or other federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2023 by this or other appropriation act of the 2022 regular session of the legislature is hereby appropriated for fiscal year 2023 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(b) In addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2023 by this act or any other appropriation act of the 2022 regular session of the legislature to apply for and receive federal grants during fiscal year 2023, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(c) During the fiscal year ending June 30, 2023, the provisions of this section shall not apply to expenditures from the American rescue plan – state fiscal relief federal fund of the governor's department. Such expenditures are subject to the provisions of section 28(d) and (f).

Sec. 197. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2022 regular session of the legislature and having an unencumbered balance as of June 30, 2022, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2023, for the same uses and purposes as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2021.

Sec. 198. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2022 regular session of the legislature and having an unencumbered balance as of June 30, 2022, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2023, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2021.

Sec. 199. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2022 regular session of the legislature and having an unencumbered balance as of June 30, 2022, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2023, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2021.

Sec. 200. Any transfers of moneys during the fiscal year ending June 30, 2023, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2023.";

And by renumbering remaining sections accordingly;

On page one, in the title, in line 2, by striking "and"; also in line 2, preceding "for" by inserting "June 30, 2026, and June 30, 2027,"; in line 6, after the semicolon by inserting "authorizing and directing payment of certain claims against the state;"; in line 7, by striking "17-12a601,";

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

TROY WAYMASTER

KYLE HOFFMAN

KATHY WOLFE MOORE

*Conferees on part of House*

RICK BILLINGER

J R CLAEYS

TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Waymaster, the conference committee report on **H Sub for Sub SB 267** was adopted.

On roll call, the vote was: Yeas 104; Nays 12; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Amyx, Anderson, Amberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Featherston, Finch, Francis, Gartner, Haswood, Hawkins, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Meyer, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Burris, Fairchild, French, Garber, Helgerson, Houser, Jacobs, Lee-Hahn, Murphy, Rhiley, Waggoner.

Present but not voting: None.

Absent or not voting: Coleman, Estes, Finney, Helmer, F. Patton, Poetter, Schmidt, Victors, Winn.

#### EXPLANATION OF VOTE

MR. SPEAKER: I cast a No vote on **Sub for SB 267**. The State General Fund (SGF) budget for Fiscal Year 2023 hit a record \$9.0 billion. In FY2019 our budget was then a staggering \$7.0 billion. Since then our population is barely up 1%. Inflation is only recently an issue. The Supreme Courts ruling on school finance makes a difference but only tangentially. What's the matter with spending in Kansas? It's both sides of the aisle and it's both sides of the chamber. Kansas taxpayers deserve better than a 104-12 vote on SB 267. — PAUL WAGGONER

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Blex, the House concurred in Senate amendments to **S Sub for HB 2279**, AN ACT concerning health professions and practices; relating to advanced practice registered nurses; licensure thereof; authorizing the prescribing of drugs without a supervising physician; requiring malpractice insurance coverage; rules and regulations; amending K.S.A. 65-1130 and K.S.A. 2021 Supp. 65-1626 and 65-4101 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 80; Nays 34; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Anderson, Arnberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Burris, Burroughs, Byers, Carlson, W. Carpenter, Clark, Clayton, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Esau, Fairchild, Francis, French, Garber, Haswood, Hawkins, Highberger, Hoffman, Hoheisel, Houser, Howell, Howerton, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kessler, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Murphy, Neelly, Ousley, Owens, Penn, Probst, Proctor, Rahjes, Resman, Rhiley, Ruiz, S., Samsel, Sanders, Sawyer, Seiwert, Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard.

Nays: Amyx, Baker, Ballard, Borjon, Carlin, Carmichael, Clifford, Eplee, Featherston, Finch, Gartner, Helgerson, Highland, Howe, Hoye, Kelly, Kueher, Landwehr, Neighbor, Newland, Ohaebosim, Orr, Osman, Poskin, Proehl, Ralph, Ruiz, L., Ryckman, Schreiber, Smith, A., Smith, C., Turner, Xu.

Present but not voting: None.

Absent or not voting: Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

#### EXPLANATION OF VOTE

MR. SPEAKER: I am happy to support **HB 2279** in honor of former Rep. Ron Howard. This issue was close to his heart and he was deeply concerned about access to rural healthcare. I vote Yes on HB 2779. – CYNDI HOWERTON

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2466** submits the following report:

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

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

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

*Conferees on part of Senate*

STEVE HUEBERT

ADAM THOMAS

JERRY STOGSDILL

*Conferees on part of House*

On motion of Rep. Huebert the conference committee report on **Sub HB 2466** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. Huebert, Thomas and Stogsdill as second conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 6:00 p.m.

---

 EARLY EVENING SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGE FROM THE SENATE**

The Senate adopts the Conference Committee report on **SB 200**.

The Senate adopts the Conference Committee report on **H Sub for Sub SB 286**.

The Senate adopts the Conference Committee report on **SB 343**.

The Senate adopts the Conference Committee report on **SB 453**.

The Senate adopts the Conference Committee report on **HB 2239**.

The Senate adopts the Conference Committee report on **HCR 5022**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2109** submits the following report:

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

On page 1, by striking all in lines 8 through 36;

On page 2, by striking all in lines 1 through 8; following line 8, by inserting:

"New Section 1. (a) A public agency shall not:

(1) Require an individual to provide the public agency with personal information or compel the release of personal information;

(2) require a nonprofit organization to provide the public agency with personal information or compel the release of personal information;

(3) release or publicly disclose personal information in the possession of such public agency; or

(4) request or require a current or prospective contractor or grant recipient to provide the public agency with a list of nonprofit organizations to which the contractor or grantee has provided financial or nonfinancial support.

(b) Personal information shall be confidential and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2027, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

(c) The provisions of this section shall not apply to:

(1) A report or disclosure required by article 41 of chapter 25 or article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto;

(2) a valid warrant issued for personal information by a court of competent jurisdiction;

(3) a lawful request for discovery of personal information in litigation if the person making such request:

(A) Demonstrates a compelling need for the personal information by clear and convincing evidence; and

(B) obtains a protective order barring disclosure of the personal information to any person not named in the litigation;

(4) admission of personal information as relevant evidence before a court of competent jurisdiction, except that no court shall disclose personal information unless such court makes a finding of good cause;

(5) a national securities association as defined in section 15A of the securities exchange act of 1934, as in effect on July 1, 2022, or any regulations adopted thereunder;

(6) any adult care home as defined in K.S.A. 39-923, and amendments thereto;

(7) information provided to the attorney general as part of the registration process, or collected as part of the enforcement of, the charitable organizations and solicitations act, K.S.A. 17-1759 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(8) information provided to the attorney general by any person, including, but not limited to, a consumer, supplier or related witness, collected as part of the enforcement of the Kansas consumer protection act, K.S.A. 50-623 et seq., and amendments thereto, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed without the consent of the donor;

(9) information concerning the staff, officers and the individuals designated to control funding needed to process and verify a request for a grant of funds from or a contract for goods or services with any public agency, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed;

(10) a request by the department of revenue, the Kansas bureau of investigation or the Kansas legislature for information required for an audit, background check, examination or investigation, except that such information shall only be used in connection with the specific audit, background check, examination or investigation and for any related proceedings; and

(11) the collection of information related to boards of directors, officers, resident agents, incorporators and large capital holders of an organization in any report or disclosure required by any statute to be made with the secretary of state with the intent that it becomes a public record, except that information that directly identifies an individual as a donor of financial support to a nonprofit organization shall not be disclosed.

(d) (1) A person alleging a violation of this section may bring a civil action for injunctive relief or damages. Damages awarded pursuant to this section shall be not less than \$7,500 for each violation of this section.

(2) The court may award reasonable attorney fees and costs to the complainant



when the court determines such award is appropriate.

(3) A person who knowingly violates the provisions of this section is guilty of a class C nonperson misdemeanor.

(e) For the purposes of this section:

(1) "Nonprofit organization" means an organization that is exempt from federal income taxation pursuant to section 501(c) of the federal internal revenue code, has submitted an application with the internal revenue service for recognition of an exemption under section 501(c) of the federal internal revenue code or is a not-for-profit business entity organized under the Kansas general corporation code;

(2) "personal information" means any list, record, register, registry, roll, roster or other compilation of data of any kind that directly or indirectly identifies a person as a member, supporter or volunteer of or donor of financial or nonfinancial support to a nonprofit organization; and

(3) "public agency" means the state or any political or taxing subdivision of the state or any office, agency or instrumentality thereof.

(f) This section shall be known and may be cited as the charitable privacy act.

Sec. 2. K.S.A. 2021 Supp. 9-2216a is hereby amended to read as follows: 9-2216a.

(a) Each licensee shall annually, on or before April 1, file a written report with the commissioner containing the information that the commissioner may reasonably require concerning the licensee's business and operations during the preceding calendar year. The report shall be made in the form prescribed by the commissioner, which may include reports filed with the nationwide mortgage licensing system and registry. Any licensee who fails to file the report required by this section with the commissioner by April 1 shall be subject to a late penalty of \$100 for each day after April 1 the report is delinquent, but in no event shall the aggregate of late penalties exceed \$5,000. The commissioner may relieve any licensee from the payment of any penalty, in whole or in part, for good cause. The filing of the annual written report required under this section shall satisfy any other reports required of a licensee under this act.

(b) Information contained in the annual report shall be confidential and may be published only in composite form. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

Sec. 3. K.S.A. 2021 Supp. 22-4620 is hereby amended to read as follows: 22-4620.

(a) All law enforcement agencies in this state shall adopt a detailed, written policy requiring electronic recording of any custodial interrogation conducted at a place of detention.

(b) All local law enforcement agencies in this state shall collaborate with the county or district attorney in the appropriate jurisdiction regarding the contents of written policies required by this section.

(c) Policies adopted pursuant to this section shall be made available to all officers of such agency and shall be available for public inspection during normal business hours.

~~(d) Policies adopted pursuant to this section shall be implemented by all Kansas law enforcement agencies on or before July 1, 2018.~~

(e) Policies adopted pursuant to this section shall include the following:

(1) A requirement that an electronic recording shall be made of an entire custodial interrogation at a place of detention when the interrogation concerns a homicide or a felony sex offense;

(2) a requirement that if the defendant elects to make or sign a written statement during the course of a custodial interrogation concerning a homicide or a felony sex offense, the making and signing of the statement shall be electronically recorded;

(3) a statement of exceptions to the requirement to electronically record custodial interrogations, including, but not limited to:

(A) An equipment malfunction preventing electronic recording of the interrogation in its entirety, and replacement equipment is not immediately available;

(B) the officer, in good faith, fails to record the interrogation because the officer inadvertently fails to operate the recording equipment properly, or without the officer's knowledge the recording equipment malfunctions or stops recording;

(C) the suspect affirmatively asserts the desire to speak with officers without being recorded;

(D) multiple interrogations are taking place, exceeding the available electronic recording capacity;

(E) the statement is made spontaneously and not in response to an interrogation question;

(F) the statement is made during questioning that is routinely asked during the processing of an arrest of a suspect;

(G) the statement is made at a time when the officer is unaware of the suspect's involvement in an offense covered by the policy;

(H) exigent circumstances make recording impractical;

(I) at the time of the interrogation, the officer, in good faith, is unaware of the type of offense involved; and

(J) the recording is damaged or destroyed, without bad faith on the part of any person or entity in control of the recording; and

(4) requirements pertaining to the retention and storage requirements of the electronic recording.

~~(f)(e)~~ (1) During trial, the officer may be questioned pursuant to the rules of evidence regarding any violation of the policies adopted pursuant to this section.

(2) Lack of an electronic recording shall not be the sole basis for suppression of the interrogation or confession.

~~(g)(f)~~ Every electronic recording of any statement as required by this section shall be confidential and exempt from the Kansas open records act in accordance with K.S.A. 45-229, and amendments thereto. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.~~

~~(h)~~ ~~The following words and phrases:~~ (g) As used in this section, are defined as follows:

(1) "Custodial interrogation" means questioning of a person to whom warnings given pursuant to *Miranda v. Arizona*, 384 U.S. 436 (1966), are required to be given;

(2) "place of detention" means a fixed location under the control of a Kansas law enforcement agency where individuals are questioned about alleged crimes; and

(3) "electronic recording" means audio or audiovisual recording. An audiovisual recording is preferred.

(i) ~~This section shall take effect on and after July 1, 2017.~~

Sec. 4. K.S.A. 40-2,203 is hereby amended to read as follows: 40-2,203. (a) (1) Nothing in this section shall be construed to prescribe or impose corporate governance standards and internal procedures beyond those required by state corporate law. However, nothing in this section shall be construed to limit the commissioner's authority, or the rights and obligations of third parties under K.S.A. 40-222, and amendments thereto.

(2) The requirements of this section shall apply to all insurers domiciled in this state.

(b) As used in this section:

(1) "Commissioner" means the commissioner of insurance of the state of Kansas.

(2) "Corporate governance annual disclosure" or "CGAD" means a confidential report filed by the insurer or insurance group made in accordance with the requirements of this section.

(3) "Insurance group" means those insurers and affiliates included within an insurance holding company system as defined in K.S.A. 40-3302, and amendments thereto.

(4) "Insurer" ~~shall have the same meaning as set forth~~ means the same as defined in K.S.A. 40-3302, and amendments thereto, except that it ~~shall~~ "insurer" does not include agencies, authorities or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia or a state or political subdivision of a state.

(5) "NAIC" means the national association of insurance commissioners.

(6) "ORSA summary report" means the report filed in accordance with risk management and own risk and solvency assessment act.

(c) (1) An insurer or the insurance group of which the insurer is a member shall, ~~no~~ not later than June 1 of each calendar year, submit to the commissioner a CGAD that contains the information described in subsection (e). Notwithstanding any request from the commissioner made pursuant to subsection (c)(3), if an insurer is a member of an insurance group, the insurer shall submit the report required by this section to the commissioner of the lead state for the insurance group, in accordance with the laws of the lead state, as determined by the procedures outlined in the most recent financial analysis handbook adopted by the national association of insurance commissioners.

(2) The CGAD must include a signature of the insurer or insurance group's chief executive officer or corporate secretary attesting to the best of that individual's belief and knowledge that the insurer has implemented the corporate governance practices and that a copy of the disclosure has been provided to the insurer's board of directors or the appropriate committee of the insurer thereof.

(3) An insurer not required to submit a CGAD under this section shall do so upon the commissioner's request.

(4) For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level or the individual legal entity level or both, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make the CGAD disclosures at the level at which the insurer's or insurance group's risk appetite is determined, or at which the earnings, capital, liquidity, operations and reputation of the

insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group determines the level of reporting based on these criteria, it shall indicate which of the three criteria was used to determine the level of reporting and explain any subsequent changes in level of reporting.

(5) The review of the CGAD and any additional requests for information shall be made through the lead state as determined by the procedures within the most recent financial analysis handbook referenced in subsection (c)(1).

(6) Insurers providing information substantially similar to the information required by this section in other documents provided to the commissioner, including proxy statements filed in conjunction with other state or federal filings or other requirements provided to the commissioner, shall not be required to duplicate that information in the CGAD, but shall only be required to cross reference the document in which the information is included.

(d) The commissioner is hereby authorized to adopt any rules and regulations as are necessary to carry out the provisions of this section. ~~Such rules and regulations shall be adopted no later than January 1, 2019.~~

(e) (1) The insurer or insurance group shall have discretion over the responses to the CGAD inquiries, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies and practices. The commissioner may request additional information deemed material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system or controls implementing those policies.

(2) The CGAD shall be prepared consistent with all department of insurance rules and regulations and documentation. Documentation supporting information shall be maintained and made available upon the commissioner's request.

(f) (1) Documents, materials or other information, including the CGAD, in the possession or control of the department of insurance that are obtained, created by or disclosed to the commissioner or any other person under this section, are recognized by this state as being proprietary and containing trade secrets. All such documents, materials or other information shall be confidential by law and privileged, and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials or other information in the furtherance of any regulatory or legal action brought as part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials or other information public without the prior written consent of the insurer. Nothing in this section shall be construed to require the written consent of the insurer before the commissioner may share or receive confidential documents, materials or other CGAD-related information pursuant to subsection (f)(3) to assist in the performance of the commissioner's regular duties. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.~~

(2) Neither the commissioner nor any person who received documents, materials or

other CGAD-related information, through examination or otherwise, while acting under the authority of the commissioner, or with whom such documents, materials or other information are shared pursuant to this section, shall be permitted or required to testify in any private civil action concerning any confidential documents, materials or information subject to subsection (f)(1).

(3) In order to assist in the performance of the commissioner's regulatory duties, the commissioner:

(A) May, upon request, share documents, materials or other CGAD-related information, including the confidential and privileged documents, materials or information subject to subsection (c)(1), including proprietary and trade secret documents and materials with other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in K.S.A. 40-3308, and amendments thereto, with the NAIC and with third-party consultants pursuant to subsection (g), provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, material or other information and has verified in writing the legal authority to maintain confidentiality; and

(B) may receive documents, materials or other CGAD-related information, including otherwise confidential and privileged documents, materials or information, including proprietary and trade secret information or documents, from regulatory officials of other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in the insurance holding company act and from the NAIC, and shall maintain as confidential or privileged any documents, materials or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(4) The sharing of information and documents by the commissioner pursuant to this section shall not constitute a delegation of regulatory authority or rulemaking, and the commissioner is solely responsible for the administration, execution and enforcement of the provisions of this section.

(5) No waiver of any applicable privilege or claim of confidentiality in the documents, proprietary and trade secret materials or other CGAD-related information shall occur as a result of disclosure of such CGAD-related information or documents to the commissioner under this section or as a result of sharing as authorized in this section.

(g) (1) The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants and other experts not otherwise a part of the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this section.

(2) Any person retained under subsection (g)(1) shall be under the direction and control of the commissioner and shall act in a purely advisory capacity.

(3) The NAIC and third-party consultants shall be subject to the same confidentiality standards and requirements as the commissioner.

(4) As part of the retention process, a third-party consultant shall verify to the commissioner, with notice to the insurer, that it is free from a conflict of interest and that it has internal procedures in place to monitor compliance with a conflict and to

comply with the confidentiality standards and requirements of this section.

(5) A written agreement with NAIC consultants or third-party consultants, or a combination of the same, governing sharing and use of information provided pursuant to this section shall contain the following provisions and expressly require the written consent of the insurer prior to making the information public as provided under this section:

(A) Specific procedures and protocols for maintaining the confidentiality and security of CGAD-related information shared with the NAIC or a third-party consultant pursuant to this section;

(B) procedures and protocols for sharing by the NAIC only with other state regulators from states in which the insurance group has domiciled insurers. The agreement shall provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, materials or other information and has verified in writing the legal authority to maintain confidentiality;

(C) a provision specifying that ownership of the CGAD-related information shared with the NAIC or a third-party consultant remains with the department of insurance and the NAIC or third-party consultant's use of the information is subject to the direction of the commissioner;

(D) a provision that prohibits the NAIC or a third-party consultant from storing the information shared pursuant to this act in a permanent database after the underlying analysis is completed;

(E) a provision requiring the NAIC or third-party consultant to provide prompt notice to the commissioner and to the insurer or insurance group regarding any subpoena, request for disclosure or request for production of the insurer's CGAD-related information; and

(F) a requirement that the NAIC or a third-party consultant consent to intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared with the NAIC or a third-party consultant pursuant to this section.

(h) Any insurer failing, without just cause, to timely file the CGAD as required in this section may be required, after notice and hearing, to pay a penalty for each day's delay, to be recovered by the commissioner, in accordance with any rules and regulations adopted by the commissioner. The commissioner shall remit all moneys received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the fees and penalties fund.

(i) If any provision of this section other than subsection (f), or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions or applications of this section, which can be given effect without the invalid provision or application, and to that end the provisions of this section, with the exception of subsection (f), are severable.

(j) The first filing of the CGAD shall be in 2018.

~~(k) The provisions of this section shall be effective on and after January 1, 2018.~~

Sec. 5. K.S.A. 40-3805 is hereby amended to read as follows: 40-3805. (a) Every administrator shall maintain and make available to the payor complete books and records of all transactions performed on behalf of the payor. Such books and records

shall be maintained in accordance with prudent standards of insurance record keeping and shall be maintained for a period of not less than five years from the date of their creation.

(b) The commissioner of insurance shall have access to such books and records for the purposes of examination, audit and inspection. Any documents, materials or other information in the possession or control of the commissioner that are furnished by a TPA, payor, insurance producer or an employee or agent thereof acting on behalf of the TPA, payor or insurance producer or obtained in an investigation, shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. The commissioner is authorized to use such documents, materials or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's official duties. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(c) Neither the commissioner nor any person who receives documents, materials or other information while acting under the authority of the commissioner shall be permitted or required to testify in any private civil action concerning confidential documents, materials or information subject to subsection (b).

(d) In order to assist in the performance of the commissioner's duties, the commissioner may:

(1) Share documents, materials or other information, including the confidential and privileged documents, materials or other information subject to this section, with other state, federal and international regulatory agencies, the NAIC, its affiliates or subsidiaries and with state, federal and international law enforcement authorities, provided the recipient agrees to maintain the confidentiality and privileged status of the document, material or other information; and

(2) may receive documents, materials or information, including otherwise confidential and privileged documents, materials or information, from the NAIC, its affiliates or subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(e) No waiver of any applicable privilege or claim of confidentiality in the documents, materials or information shall occur as a result of disclosure to the commissioner under this section.

(f) Nothing in this section shall prohibit the commissioner from releasing final, adjudicated actions, including for cause terminations that are open to public inspection pursuant to the open records act, to a database or other clearinghouse service maintained by the NAIC, its affiliates or subsidiaries.

(g) The payor shall own the records generated by the administrator pertaining to the payor, however, the administrator shall retain the right to continuing access to books and records to permit the administrator to fulfill all of its contractual obligations to insured parties, claimants and the payor, and its obligations to maintain records available to the commissioner.

(h) In the event the payor and the administrator cancel their agreement,

notwithstanding the provisions of subsection (a), the administrator may, by written agreement with the payor, transfer all records to a new administrator rather than retain them for five years. In such cases, the new administrator shall acknowledge, in writing, that it is responsible for retaining the records of the prior administrator as required in subsection (a).

Sec. 6. K.S.A. 2021 Supp. 50-1124 is hereby amended to read as follows: 50-1124. (a) (1) On or before April 1, of each year, each licensee shall file with the commissioner an annual report relating to credit services organization business conducted by the licensee during the preceding calendar year. The annual report shall be on a form prescribed by the commissioner.

(2) The information contained in the annual report shall be confidential and may be published only in composite form. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts the provision prior to July 1, 2022.~~

(b) Within 15 calendar days of any of the following events, a licensee shall file a written report with the commissioner describing the event and its expected impact on the licensee's business:

- (1) The filing for bankruptcy or reorganization by the licensee;
  - (2) the institution of a revocation, suspension or other proceeding against the licensee by a governmental authority that is related to the licensee's credit services organization business in any state;
  - (3) a felony conviction of the licensee or any of its owners, officers, principals, directors, partners, members or debt management counselors;
  - (4) a change in the licensee's name or legal entity status; and
  - (5) the addition or loss of any owner, officer, partner or director.
- (c) If a licensee fails to make any report required by this section to the commissioner, the commissioner may require the licensee to pay a late penalty of \$100 for each day the report is overdue.

Sec. 7. K.S.A. 2021 Supp. 50-1128 is hereby amended to read as follows: 50-1128. This act shall be administered by the commissioner. In addition to other powers granted by this act, the commissioner, within the limitations provided by law, may exercise the following powers:

(a) Adopt, amend and revoke rules and regulations as necessary to carry out the intent and purpose of this act.

(b) Make any investigation and examination of the operations, books and records of a credit services organization, as the commissioner deems necessary to aid in the enforcement of this act.

(1) The commissioner, or the commissioner's designee, shall have free and reasonable access to the offices, places of business and all records of the licensee that relate to the debt management or credit services organization business. The commissioner may designate persons, including comparable officials of the state in which the records are located, to inspect the records on the commissioner's behalf.

(2) The commissioner may charge reasonable costs of investigation, examination and administration of this act, to be paid by the applicant or licensee, in such amounts as the commissioner may determine to be sufficient to meet the budget requirements of the commissioner for each fiscal year. The commissioner may maintain an action in any court to recover such costs.

(c) To order any licensee or person to cease any activity or practice which the



commissioner deems to be deceptive, dishonest, or a violation of this act, or of other state or federal law, or unduly harmful to the interests of the public.

(d) (1) Exchange any information regarding the administration of this act with any agency of the United States or any state which regulates the applicant or licensee or administers statutes, rules and regulations or programs related to debt management or credit services organization laws.

(2) Examination reports and correspondence regarding such reports made by the commissioner or the commissioner's designees shall be confidential. The commissioner may release examination reports and correspondence regarding the reports in connection with a disciplinary proceeding conducted by the commissioner, a liquidation proceeding or a criminal investigation or proceeding. Additionally, the commissioner may furnish to federal or other state regulatory agencies or any officer or examiner thereof, a copy of any or all examination reports and correspondence regarding the reports made by the commissioner or the commissioner's designees. ~~The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(e) Disclose to any person or entity that an applicant's or licensee's application or license has been denied, suspended, revoked or refused renewal.

(f) Require or permit any person to file a written statement, under oath or otherwise as the commissioner may direct, setting forth all the facts and circumstances concerning any apparent violation of this act, any rule and regulation promulgated hereunder, or any order issued pursuant to this act.

(g) Receive, as a condition in settlement of any investigation or examination, a payment designated for consumer education to be expended for such purpose as directed by the commissioner.

(h) Delegate the authority to sign any orders, official documents or papers issued under or related to this act to the deputy of consumer and mortgage lending in the office of the state bank commissioner.

(i) Require fingerprinting of any licensee, agent acting on behalf of a licensee or other person as deemed appropriate by the commissioner, or the commissioner's designee. The commissioner, or commissioner's designee, may submit such fingerprints to the Kansas bureau of investigation, federal bureau of investigation or other law enforcement agency for the purposes of verifying the identity of such persons and obtaining records of their criminal arrests and convictions. For purposes of this section and in order to reduce the points of contact that the federal bureau of investigation may have to maintain with the individual states, the commissioner may use the nationwide mortgage licensing system and registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency.

(j) Use the nationwide mortgage licensing system and registry as a channeling agent for requesting and distributing information regarding credit services organization licensing to and from any source so directed by the commissioner.

(k) Establish relationships or contracts with the nationwide mortgage licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees or other persons subject to this act, and to take other such actions as may be reasonably necessary to participate in the nationwide mortgage licensing system and registry.

(l) Charge, establish and collect from licensees such fees as are necessary and in such amounts as the commissioner may determine to be sufficient to meet the expense requirements of the commissioner in administering this act.

(m) Seize and distribute a licensee's trust account funds to protect consumers and the public interest.

(n) For the purpose of any examination, investigation or proceeding under this act, the commissioner or the commissioner's designee may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, adduce evidence and require the production of any matter which is relevant to the examination or investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts, or any other matter reasonably calculated to lead to the discovery of relevant information or items.

(o) To enter into any informal agreement with any person for a plan of action to address violations of this act. The adoption of an informal agreement authorized by this subsection shall not be subject to the provisions of the Kansas administrative procedure act or the Kansas judicial review act. Any informal agreement authorized by this subsection shall not be considered an order or other agency action, and shall be considered confidential examination material pursuant to K.S.A. 50-1128(d), and amendments thereto. All such examination material shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. ~~The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.~~

(p) Issue, amend and revoke written administrative guidance documents in accordance with the applicable provisions of the Kansas administrative procedure act.

Sec. 8 K.S.A. 40-2,203, 40-3805 and 40-6011 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the second semicolon and inserting "records; relating to personal information about affiliation with certain nonprofit organizations; prohibiting a public agency from disclosing information related to such affiliation and providing exemptions; relating to disclosure of records under the open records act; continuing in existence certain exceptions to disclosure; amending K.S.A. 40-2,203 and 40-3805 and K.S.A. 2021 Supp. 9-2216a, 22-4620, 50-1124 and 50-1128 and repealing the existing sections; also repealing K.S.A. 40-6011";

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

KELLIE WARREN

RICK WILBORN

DAVID HALEY

*Conferees on part of Senate*

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Ralph, the conference committee report on **HB 2109** was adopted.

On roll call, the vote was: Yeas 92; Nays 20; Present but not voting: 1; Absent or not voting: 12.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Burris, Carlson, W. Carpenter, Clark, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Finch, Francis, French, Garber, Gartner, Hawkins, Henderson, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neely, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Xu.

Nays: Alcala, Amyx, Burroughs, Byers, Carlin, Carmichael, Clayton, Featherston, Haswood, Helgerson, Highberger, Highland, Meyer, Miller, Neighbor, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel.

Present but not voting: Woodard.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2299** submits the following report:

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

On page 1, following line 6, by inserting:

"New Section 1. (a) (1) An applicant, employee or volunteer who is subject to a criminal history record check shall provide to the requesting authorized entity written consent to obtain the applicant's, employee's or volunteer's fingerprints to conduct a criminal history record check and participate in the rap back program for the purpose of determining suitability or fitness for a permit, license, employment or volunteer service.

(2) An authorized entity shall notify each applicant, employee or volunteer subject to a criminal history record check:

(A) That fingerprints shall be retained by the Kansas bureau of investigation and the federal bureau of investigation for all current and future purposes and uses authorized for fingerprint submission; and

(B) when fingerprints will be enrolled in the rap back program.

(b) Fingerprints and records relating to fingerprints obtained by the Kansas bureau of investigation for a fingerprint-based criminal history record check shall be searched against:

(1) Known criminal fingerprints to determine if a criminal history record exists; and

(2) latent fingerprints entered into the unsolved latent fingerprint file.

(c) (1) A criminal history record check shall only be completed for the purpose for which such check was requested. Any additional record checks shall require the submission of a new set of fingerprints.

(2) An authorized entity enrolled in rap back shall immediately notify the Kansas bureau of investigation when such entity is no longer entitled to receive criminal history record information relating to a particular person enrolled in rap back. The Kansas bureau of investigation shall cancel the enrollment, and updates to criminal history record information shall no longer be provided to such entity.

(d) (1) Fingerprints and records relating to fingerprints acquired by the Kansas bureau of investigation shall be available only to authorized entities entitled to obtain the information. No employee of the Kansas bureau of investigation shall disclose any records of fingerprints or records relating to the fingerprints acquired in the performance of any of the employee's duties under this section to any person not authorized to receive the information pursuant to state or federal law. No person acquiring the records of fingerprints, records relating to fingerprints or any information concerning any individual shall disclose such information to any person who is not authorized to receive such information.

(2) Any intentional disclosure of such information in violation of this section is a class A nonperson misdemeanor.

(e) As used in this section:

(1) "Authorized entity" means an agency or entity with authorization under state or federal law to conduct a fingerprint-based criminal history record check;

(2) "criminal history record check" means the submission of fingerprints and demographic information by an authorized entity to the Kansas bureau of investigation for the purpose of receiving criminal history record results; and

(3) "rap back" means the state or federal system that enables an authorized entity to receive ongoing notifications of criminal history record updates for individuals whose fingerprints are enrolled.

New Sec. 2. (a) Except as provided in subsection (b), no employee of the Kansas department of wildlife and parks authorized to enforce the laws of the state of Kansas pursuant to K.S.A. 32-808, and amendments thereto, shall conduct surveillance on private property unless authorized pursuant to a lawfully issued warrant, court order or subpoena, the constitution of the United States or one of the following exceptions to the search warrant requirement:

- (1) Exigent circumstances;
- (2) consent searches; or
- (3) the plain view doctrine.

(b) The provisions of subsection (a) shall not apply to any activities of an employee of the Kansas department of wildlife and parks when the purpose of the surveillance is to locate and retrieve a missing person.

(c) As used in this section:

(1) "Surveillance" means the installation and use of electronic equipment or devices on private property, including, but not limited to, the installation and use of a tracking device, video camera or audio recording device, to monitor activity or collect information related to the enforcement of the laws of the state of Kansas; and

(2) "tracking device" means the same as defined in K.S.A. 22-2502, and amendments thereto.

Sec. 3. K.S.A. 2021 Supp. 22-2401a is hereby amended to read as follows: 22-2401a. (a) (1) Law enforcement officers employed by consolidated county law enforcement agencies or departments and sheriffs and their deputies may exercise ~~their powers as~~ the powers and authority of law enforcement officers:

~~(a)~~—anywhere within their county; ~~and~~

~~(b)~~ in any other place when a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person.

(2) Law enforcement officers employed by any city may exercise ~~their powers as~~ the powers and authority of law enforcement officers:

~~(a)~~—anywhere within the city limits of the city employing them and outside of such city when on property owned or under the control of such city; ~~and~~

~~(b)~~ in any other place when a request for assistance has been made by law enforcement officers from that place or when in fresh pursuit of a person.

~~(3)~~ ~~(a)~~ (b) (1) Law enforcement officers employed by a Native American Indian Tribe may exercise the powers and authority of law enforcement officers anywhere within the exterior limits of the reservation of the tribe employing such tribal law enforcement officer, subject to the following:

~~(i)~~ (A) The provisions of ~~subsection (3)(a) this paragraph~~ shall be applicable only as long as such Native American Indian Tribe maintains in force a valid and binding agreement with an insurance carrier to provide liability insurance coverage for damages arising from the acts, errors or omissions of such tribal law enforcement agency or officer while acting pursuant to this section and waives its tribal immunity, as provided in ~~subsection (3)(b) paragraph (2)~~, for any liability for damages arising from the acts, errors or omissions of such tribal law enforcement agency or officer while acting pursuant to this section. Such insurance policy shall: ~~(A)~~ ~~(1)~~ (i) (a) Be in an amount not less than \$500,000 for any one person and \$2,000,000 for any one occurrence for personal injury and \$1,000,000 for any one occurrence for property damage; ~~(2)~~ ~~(b)~~ be in an amount not less than \$2,000,000 aggregate loss limit; and ~~(3)~~ (c) carry an endorsement to provide coverage for mutual aid assistance; and ~~(B)~~ (ii) include an endorsement providing that the insurer may not invoke tribal sovereign immunity up to the limits of the policy set forth herein. Any insurance carrier providing to a tribe the liability insurance coverage described in this subsection shall certify to the attorney general that the tribe has in effect coverage which complies with the requirements of this subsection. Such carrier shall notify the attorney general immediately by first class mail if for any reason such coverage terminates or no longer complies with the requirements of this subsection.

~~(ii)~~ (B) The provisions of ~~subsection (3)(a) this paragraph~~ shall be applicable only if such Native American Indian Tribe has filed with the county clerk a map clearly showing the boundaries of the tribe's reservation as defined in this section.

~~(b)~~ (2) If a claim is brought against any tribal law enforcement agency or officer for

acts committed by such agency or officer while acting pursuant to this section, such claim shall be subject to disposition as if the tribe was the state pursuant to the Kansas tort claims act, provided that such act shall not govern the tribe's purchase of insurance. The tribe shall waive its sovereign immunity solely to the extent necessary to permit recovery under the liability insurance, but not to exceed the policy limits.

~~(e)(3)~~ Nothing in this subsection ~~(3)~~ shall be construed to prohibit any agreement between any state, county or city law enforcement agency and any Native American Indian Tribe.

~~(d)(4)~~ Nothing in this subsection ~~(3)~~ shall be construed to affect the provision of law enforcement services outside the exterior boundaries of reservations so as to affect in any way the criteria by which the United States department of the interior makes a determination regarding placement of land into trust.

~~(e)(5)~~ Neither the state nor any political subdivision of the state shall be liable for any act or failure to act by any tribal law enforcement officer.

~~(4)(c)~~ University police officers employed by the chief executive officer of any state educational institution or municipal university may exercise ~~their powers as~~ the powers and authority of university police officers:

~~(a)(1)~~ On property owned, occupied or operated by the state educational institution or municipal university, by a board of trustees of the state educational institution, an endowment association, an affiliated corporation, an athletic association, a fraternity, sorority or other student group associated with the state educational institution or municipal university or at the site of a function or academic program sponsored by the state educational institution or municipal university;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to and coterminous with the property described in ~~subsection (4)(a) paragraph (1);~~

~~(e)(3)~~ within the city or county where ~~such property as described in this subsection~~ property described in paragraph (1) or (2) is located, as necessary to protect the health, safety and welfare of students and faculty of the state educational institution or municipal university, with appropriate agreement by the local law enforcement agencies. Such agreements shall include provisions defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Any agreement entered into pursuant to this provision shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the chief executive officer of the state educational institution or municipal university involved before such agreement may take effect;

~~(d)(4)~~ additionally, when there is reason to believe that a violation of a state law, a county resolution, or a city ordinance has occurred on property described in ~~subsection (4)(a) or (b) paragraph (1) or (2),~~ such officers with appropriate notification of, and coordination with, local law enforcement agencies or departments, may investigate and arrest persons for such a violation anywhere within the city where such property, streets and highways are located. Such officers also may exercise such powers in any other place when in fresh pursuit of a person. University police officers shall also have authority to transport persons in custody to an appropriate facility, wherever it may be located. University police officers at the university of Kansas medical center may provide emergency transportation of medical supplies and transplant organs; and

~~(e)(5)~~ additionally, pursuant to a written agreement between the university of

Kansas hospital authority and the university of Kansas medical center, university police officers employed by the university of Kansas medical center may exercise their powers as law enforcement officers on property owned, occupied or operated by the university of Kansas healthcare system or university of Kansas hospital authority as authorized by this section and K.S.A. 76-726 and 76-3314, and amendments thereto.

~~(5)(d)~~ (1) In addition to the areas where law enforcement officers may exercise ~~their powers~~ the powers and authority of law enforcement officers pursuant to subsection ~~(2)~~ (a)(2), law enforcement officers of any jurisdiction within Johnson or Sedgwick county may exercise ~~their powers as the powers and authority of~~ law enforcement officers in any area within the respective county when executing a valid arrest warrant or search warrant, to the extent necessary to execute such warrants.

~~(6)~~ In addition to the areas where university police officers may exercise their powers pursuant to subsection (4), university police officers may exercise the powers of law enforcement officers in any area outside their normal jurisdiction when a request for assistance has been made by law enforcement officers from the area for which assistance is requested.

~~(7)(2)~~ In addition to the areas where law enforcement officers may exercise ~~their powers~~ the powers and authority of law enforcement officers pursuant to subsection ~~(2)~~ (a)(2), law enforcement officers of any jurisdiction within Johnson county may exercise ~~their powers as the powers and authority of~~ law enforcement officers in any adjoining city within Johnson county when any crime, including a traffic infraction, has been or is being committed by a person in view of the law enforcement officer. A law enforcement officer shall be considered to be exercising such officer's powers pursuant to subsection ~~(2)~~ (a)(2), when such officer is responding to the scene of a crime, even if such officer exits the city limits of the city employing the officer and further reenters the city limits of the city employing the officer to respond to such scene.

~~(8)(e)~~ Campus police officers employed by a community college or school district may exercise the ~~power~~ powers and authority of law enforcement officers anywhere:

~~(a)~~ (1) On property owned, occupied or operated by the school district or community college or at the site of a function sponsored by the school district or community college;

~~(b)~~ (2) on the streets, property and highways immediately adjacent to and coterminous with property described in ~~subsection (8)(a) paragraph (1)~~;

~~(c)~~ (3) within the city or county where property described in ~~subsection (8)(a) paragraph (1) or (2)~~ is located, as necessary to protect the health, safety and welfare of students and faculty of the school district or community college, with appropriate agreement by local law enforcement agencies. Such agreements shall include provisions, defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Before any agreement entered into pursuant to this section shall take effect, it shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the board of education or board of trustees involved; and

~~(d)~~ (4) with appropriate notification of and coordination with local law enforcement agencies, within the city or county where property described in ~~subsection (8)(a) or (8)(b) paragraph (1) or (2)~~ is located, when there is reason to believe that a violation of a state law, county resolution or city ordinance has occurred on such property, as

necessary to investigate and arrest persons for such a violation;

~~(c) when in fresh pursuit of a person; and~~

~~(f) when transporting persons in custody to an appropriate facility, wherever it may be located.~~

~~(9)(f)~~ TAG law enforcement officers employed by the adjutant general may exercise ~~their powers as police~~ the powers and authority of law enforcement officers anywhere:

~~(a)(1)~~ On property owned or under the control of the Kansas national guard or any component under the command of the adjutant general;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to property owned or under the control of the Kansas national guard;

~~(3)~~ within the city or county where ~~such property as described in subsection (9)(a) or (b) property described in paragraph (1) or (2)~~ is located, as necessary to protect such property; or to protect the health, safety and welfare of members of the national guard, reserve or employees of the United States department of defense, the United States department of homeland security or any branch of the United States military, with appropriate agreement by the local law enforcement agencies. Such agreements shall include provisions defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Any agreement entered into pursuant to this provision shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the adjutant general before such agreement may take effect. ~~In addition; and~~

~~(4)~~ additionally, when there is reason to believe that a violation of a state law, a county resolution or a city ordinance has occurred on property described in ~~subsection (9)(a) or (b) paragraph (1) or (2)~~, after providing appropriate notification to, and coordination with, local law enforcement agencies or departments, such officers may investigate and arrest persons for such a violation anywhere within the city or county where such property, streets and highways are located. ~~Such officers also may exercise such powers in any other place when in fresh pursuit of a person. TAG law enforcement officers shall also have authority to transport persons in custody to an appropriate facility, wherever it may be located.~~

~~(10)(g)~~ Horsethief reservoir benefit district law enforcement officers may exercise ~~the power~~ powers and authority of law enforcement officers anywhere:

~~(a)(1)~~ On property owned, occupied or operated by the benefit district or at the site of a function sponsored by the benefit district;

~~(b)(2)~~ on the streets, property and highways immediately adjacent to and coterminous with property described in ~~subsection (10)(a) paragraph (1)~~;

~~(c)(3)~~ within the city or county where property described in ~~subsection (10)(a) paragraph (1) or (2)~~ is located, as necessary to protect the health, safety and welfare of benefit district employees, board members, volunteers and visitors, with appropriate agreement by local law enforcement agencies. Such agreements shall include provisions defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Before any agreement entered into pursuant to this section shall take effect, it shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the governing board of the horsethief



reservoir benefit district; and

~~(d)~~(4) with appropriate notification of and coordination with local law enforcement agencies, within the city or county where property described in ~~subsection (10)(a) or (10)(b)~~ paragraph (1) or (2) is located, when there is reason to believe that a violation of a state law, county resolution or city ordinance has occurred on such property, as necessary to investigate and arrest persons for such a violation;

~~(e)~~ when in fresh pursuit of a person; and

~~(f)~~ when transporting persons in custody to an appropriate facility, wherever it may be located.

~~(h)~~(h) All law enforcement officers not otherwise provided statewide jurisdiction may exercise the powers and authority of law enforcement officers anywhere when:

(1) A request for assistance has been made by law enforcement officers from the area for which assistance is requested;

(2) in fresh pursuit of a person;

(3) transporting persons in custody to an appropriate facility, wherever such facility may be located; and

(4) investigating a crime that occurred within the law enforcement officer's jurisdiction, with appropriate notification to and coordination with a local law enforcement agency with jurisdiction where the investigation is to be conducted.

(i) In addition to the jurisdictional authority provided in this section and any other provision of law, all law enforcement officers may exercise the powers and authority of law enforcement officers when outside their described jurisdiction and when an activity is observed leading the officer to reasonably suspect a person is committing, has committed or is about to commit a crime and reasonably believe that a person is in imminent danger of death or bodily injury without immediate action, subject to the following:

(1) The officer is in an on-duty status, traveling in a law enforcement vehicle to or from work or traveling to a training or law enforcement function outside their jurisdiction;

(2) the officer reports the activity and their actions to a law enforcement agency with jurisdiction;

(3) the officer remains at the location of the activity and cooperates with officers responding from the jurisdiction of occurrence;

(4) the officer is in uniform or otherwise properly identified as a law enforcement officer; and

(5) the agency employing the officer may impose additional restrictions through written policies.

(j) As used in this section:

~~(a)~~(1) "Law enforcement officer" means: ~~(i)~~ (A) Any law enforcement officer as defined in K.S.A. ~~22-2202~~ 74-5602, and amendments thereto, who is employed by a law enforcement agency described in this section; or ~~(ii)~~ (B) any tribal law enforcement officer who is employed by a Native American Indian Tribe and has completed successfully the initial and any subsequent law enforcement training required under the Kansas law enforcement training act.

~~(b)~~(2) "University police officer" means a police officer employed by the chief executive officer of: ~~(i)~~ (A) Any state educational institution under the control and supervision of the state board of regents; or ~~(ii)~~ (B) a municipal university.

~~(e)~~(3) "Campus police officer" means a school security officer designated as a campus police officer pursuant to K.S.A. 72-6146, and amendments thereto.

~~(d)~~(4) "Fresh pursuit" means pursuit, without unnecessary delay, of a person who has committed a crime, or who is reasonably suspected of having committed a crime.

~~(e)~~(5) "Native American Indian Tribe" means the Prairie Band Potawatomi Nation, Kickapoo Tribe in Kansas, Sac and Fox Nation of Missouri and the Iowa Tribe of Kansas and Nebraska.

~~(f)~~(6) "Reservation" means:

~~(i)~~(A) With respect to the Iowa Tribe of Kansas and Nebraska, the reservation established by treaties with the United States concluded May 17, 1854, and March 6, 1861;

~~(ii)~~(B) with respect to the Kickapoo Nation, the reservation established by treaty with the United States concluded June 28, 1862;

~~(iii)~~(C) with respect to the Prairie Band Potawatomi Nation in Kansas, the reservation established by treaties with the United States concluded June 5, 1846, November 15, 1861, and February 27, 1867; and

~~(iv)~~(D) with respect to the Sac and Fox Nation of Missouri in Kansas and Nebraska: ~~(A)~~ (i) The reservation established by treaties with the United States concluded May 18, 1854, and March 6, 1861, and by acts of Congress of June 10, 1872 (17 Stat. 391), and August 15, 1876 (19 Stat. 208); and ~~(B)~~ (ii) the premises of the gaming facility established pursuant to the gaming compact entered into between such nation and the state of Kansas, and the surrounding parcel of land held in trust which lies adjacent to and east of U.S. Highway 75 and adjacent to and north of Kansas Highway 20, as identified in such compact.

~~(g)~~(7) "TAG law enforcement officer" means a police officer employed by the adjutant general pursuant to K.S.A. 48-204, and amendments thereto.

~~(h)~~(8) "Horsethief reservoir benefit district law enforcement officer" means a police officer employed by the horsethief reservoir benefit district pursuant to K.S.A. 82a-2212, and amendments thereto.";

On page 2, following line 5, by inserting:

"Sec. 5. K.S.A. 38-2210 is hereby amended to read as follows: 38-2210. To facilitate investigation and ensure the provision of necessary services to children who may be in need of care and such children's families, the following persons and entities with responsibilities concerning a child who is alleged or adjudicated to be in need of care shall freely exchange information:

(a) The secretary.

(b) The secretary of corrections.

(c) ~~The~~A law enforcement agency investigating or receiving such report. Such information shall include information and records disclosed pursuant to K.S.A. 38-2212(e), and amendments thereto.

(d) Members of a court appointed multidisciplinary team.

(e) An entity mandated by federal law or an agency of any state authorized to receive and investigate reports of a child known or suspected to be in need of care.

(f) A military enclave or Indian tribal organization authorized to receive and investigate reports of a child known or suspected to be in need of care.

(g) A county or district attorney with responsibility for filing a petition pursuant to K.S.A. 38-2214, and amendments thereto.

(h) A court services officer who has taken a child into custody pursuant to K.S.A. 38-2231, and amendments thereto.

(i) An intake and assessment worker.

(j) Any community corrections program which has the child under court ordered supervision.

(k) The department of health and environment or persons authorized by the department of health and environment pursuant to K.S.A. 65-512, and amendments thereto, for the purpose of carrying out responsibilities relating to licensure or registration of child care providers as required by article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(l) The interstate compact for juveniles compact administrator for the purpose of carrying out the responsibilities related to the interstate compact for juveniles.

Sec. 6. K.S.A. 38-2211 is hereby amended to read as follows: 38-2211. (a) *Access to the official file.* The following persons or entities shall have access to the official file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceedings, including the presiding judge and any court personnel designated by the judge.

(2) The parties to the proceedings and their attorneys.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the proceeding or a paid staff member of a court appointed special advocate program.

(5) Any individual, or any public or private agency or institution, having custody of the child under court order or providing educational, medical or mental health services to the child or any placement provider or potential placement provider as determined by the secretary or court services officer.

(6) A citizen review board.

(7) The secretary of corrections or any agents designated by the secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties.

(9) Any other person when authorized by a court order, subject to any conditions imposed by the order.

(10) The commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.

(11) An investigating law enforcement agency.

(b) *Access to the social file.* The following persons or entities shall have access to the social file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceeding, including the presiding judge and any court personnel designated by the judge.

(2) The attorney for a party to the proceeding or the person or persons designated by an Indian tribe that is a party.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the proceeding or a paid staff member of a court appointed special advocate program.

(5) A citizen review board.

(6) The secretary.

(7) The secretary of corrections or any agents designated by the secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties or interested parties.

(9) Any other person when authorized by a court order, subject to any conditions imposed by the order.

(10) An investigating law enforcement agency.

(c) *Preservation of records.* The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to proceedings under the Kansas code for care of children whenever such records otherwise would be destroyed. No such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (a) and (b). Pursuant to subsections (a)(9) and (b)(9), a judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas code for care of children.

Sec. 7. K.S.A. 38-2212 is hereby amended to read as follows: 38-2212. (a) *Principle of appropriate access.* Information contained in confidential agency records concerning a child alleged or adjudicated to be in need of care may be disclosed as provided in this section and shall be disclosed as provided in subsection (e). Disclosure shall in all cases be guided by the principle of providing access only to persons or entities with a need for information that is directly related to achieving the purposes of this code.

(b) *Free exchange of information.* Pursuant to K.S.A. 38-2210, and amendments thereto, the secretary and juvenile intake and assessment agencies shall participate in the free exchange of information concerning a child who is alleged or adjudicated to be in need of care.

(c) *Necessary access.* The following persons or entities shall have access to information from agency records. Access shall be limited to information reasonably necessary to carry out their lawful responsibilities, to maintain their personal safety and the personal safety of individuals in their care, or to educate, diagnose, treat, care for or protect a child alleged to be in need of care. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) A child named in the report or records, a guardian ad litem appointed for the child and the child's attorney.

(2) A parent or other person responsible for the welfare of a child, or such person's legal representative.

(3) A court-appointed special advocate for a child, a citizen review board or other advocate that reports to the court.

(4) A person licensed to practice the healing arts or mental health profession in order to diagnose, care for, treat or supervise:

(A) A child whom such service provider reasonably suspects may be in need of care;

(B) a member of the child's family; or

(C) a person who allegedly abused or neglected the child.

(5) A person or entity licensed or registered by the secretary of health and

environment or approved by the secretary for children and families to care for, treat or supervise a child in need of care.

(6) A coroner or medical examiner when such person is determining the cause of death of a child.

(7) The state child death review board established under K.S.A. 22a-243, and amendments thereto.

(8) An attorney for a private party who files a petition pursuant to K.S.A. 38-2233(b), and amendments thereto.

(9) A foster parent, prospective foster parent, permanent custodian, prospective permanent custodian, adoptive parent or prospective adoptive parent. In order to assist such persons in making an informed decision regarding acceptance of a particular child, to help the family anticipate problems that may occur during the child's placement, and to help the family meet the needs of the child in a constructive manner, the secretary shall seek and shall provide the following information to such persons as the information becomes available to the secretary:

(A) Strengths, needs and general behavior of the child;

(B) circumstances that necessitated placement;

(C) information about the child's family and the child's relationship to the family that may affect the placement;

(D) important life experiences and relationships that may affect the child's feelings, behavior, attitudes or adjustment;

(E) medical history of the child, including third-party coverage that may be available to the child; and

(F) education history, to include present grade placement, special strengths and weaknesses.

(10) The state protection and advocacy agency as provided by K.S.A. 65-5603(a) (10) or K.S.A. 74-5515(a)(2)(A) and (B), and amendments thereto.

(11) Any educational institution to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees.

(12) Any educator to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils.

(13) Any other federal, state or local government executive branch entity or any agent of such entity, having a need for such information in order to carry out such entity's responsibilities under the law to protect children from abuse and neglect.

(d) *Specified access.* The following persons or entities shall have access to information contained in agency records as specified. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) Information from confidential agency records of the Kansas department for children and families, a law enforcement agency or any juvenile intake and assessment worker of a child alleged or adjudicated to be in need of care shall be available to members of the standing house or senate committee on judiciary, house committee on corrections and juvenile justice, house committee on appropriations, senate committee on ways and means, legislative post audit committee and any joint committee with authority to consider children's and families' issues, when carrying out such member's or committee's official functions in accordance with K.S.A. 75-4319, and amendments thereto, in a closed or executive meeting. Except in limited conditions established by <sup>2</sup>/<sub>3</sub>

of the members of such committee, records and reports received by the committee shall not be further disclosed. Unauthorized disclosure may subject such member to discipline or censure from the house of representatives or senate. The secretary for children and families shall not summarize the outcome of department actions regarding a child alleged to be a child in need of care in information available to members of such committees.

(2) The secretary for children and families may summarize the outcome of department actions regarding a child alleged to be a child in need of care to a person having made such report.

(3) Information from confidential reports or records of a child alleged or adjudicated to be a child in need of care may be disclosed to the public when:

(A) The individuals involved or their representatives have given express written consent; or

(B) the investigation of the abuse or neglect of the child or the filing of a petition alleging a child to be in need of care has become public knowledge, provided, however, that the agency shall limit disclosure to confirmation of procedural details relating to the handling of the case by professionals.

(e) Law enforcement access. The secretary shall disclose confidential agency records of a child alleged or adjudicated to be a child in need of care, as described in K.S.A. 38-2209, and amendments thereto, to the law enforcement agency investigating the alleged or substantiated report or investigation of abuse or neglect, regardless of the disposition of such report or investigation. Such records shall include, but not be limited to, any information regarding such report or investigation, records of past reports or investigations concerning such child and such child's siblings and the perpetrator or alleged perpetrator and the name and contact information of the reporter or persons alleging abuse or neglect and case managers, investigators or contracting agency employees assigned to or investigating such report. Such records shall only be used for the purposes of investigating the alleged or substantiated report or investigation of abuse or neglect.

~~(e)~~(f) *Court order.* Notwithstanding the provisions of this section, a court of competent jurisdiction, after in camera inspection, may order disclosure of confidential agency records pursuant to a determination that the disclosure is in the best interests of the child who is the subject of the reports or that the records are necessary for the proceedings of the court. The court shall specify the terms of disclosure and impose appropriate limitations.

~~(f)~~(g) (1) Notwithstanding any other provision of law to the contrary, except as provided in paragraph (6), in the event that child abuse or neglect results in a child fatality or near fatality, reports or records of a child alleged or adjudicated to be in need of care received by the secretary, a law enforcement agency or any juvenile intake and assessment worker shall become a public record and subject to disclosure pursuant to K.S.A. 45-215, and amendments thereto.

(2) Within seven days of receipt of a request in accordance with the procedures adopted under K.S.A. 45-220, and amendments thereto, the secretary shall notify any affected individual that an open records request has been made concerning such records. The secretary or any affected individual may file a motion requesting the court to prevent disclosure of such record or report, or any select portion thereof. Notice of the filing of such motion shall be provided to all parties requesting the records or reports,

and such party or parties shall have a right to hearing, upon request, prior to the entry of any order on such motion. If the affected individual does not file such motion within seven days of notification, and the secretary has not filed a motion, the secretary shall release the reports or records. If such motion is filed, the court shall consider the effect such disclosure may have upon an ongoing criminal investigation, a pending prosecution, or the privacy of the child, if living, or the child's siblings, parents or guardians, and the public's interest in the disclosure of such records or reports. The court shall make written findings on the record justifying the closing of the records and shall provide a copy of the journal entry to the affected parties and the individual requesting disclosure pursuant to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

(3) Notwithstanding the provisions of paragraph (2), in the event that child abuse or neglect results in a child fatality, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality;
- (C) a summary of any previous reports of abuse or neglect received by the secretary involving the child, along with the findings of such reports; and
- (D) any department recommended services provided to the child.

(4) Notwithstanding the provisions of paragraph (2), in the event that a child fatality occurs while such child was in the custody of the secretary for children and families, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality; and
- (C) a summary of the facts surrounding the death of the child.

(5) For reports or records requested pursuant to this subsection, the time limitations specified in this subsection shall control to the extent of any inconsistency between this subsection and K.S.A. 45-218, and amendments thereto. As used in this section, "near fatality" means an act that, as certified by a person licensed to practice medicine and surgery, places the child in serious or critical condition.

(6) Nothing in this subsection shall allow the disclosure of reports, records or documents concerning the child and such child's biological parents that were created prior to such child's adoption. Nothing herein is intended to require that an otherwise privileged communication lose its privileged character.

Sec. 8. K.S.A. 72-6146 is hereby amended to read as follows: 72-6146. (a) The board of education of any school district or the board of trustees of any community college may employ school security officers, and may designate any one or more of such school security officers as a campus police officer, to aid and supplement law enforcement agencies of the state and of the city and county in which the school district or community college is located.

(b) The protective function of school security officers shall extend to all property of the school district or community college and the protection of students, teachers and other employees together with the property of such persons on or in any school or community college property or areas adjacent thereto, or while attending or located at

the site of any school or community college-sponsored function. While engaged in the protective functions specified in this section, each school security officer shall possess and exercise all general law enforcement powers, rights, privileges, protections and immunities in every county in which there is located any part of the territory of the school district or community college.

(c) The protective function of campus police officers shall extend to all property of the school district or community college and the protection of students, teachers and other employees together with the property of such persons on or in any school or community college property or areas adjacent thereto, or while attending or located at the site of any school or community college-sponsored function. While engaged in the protective functions specified in this section, each campus police officer shall possess and exercise all general law enforcement powers, rights, privileges, protections and immunities in every county in which there is located any part of the territory of the school district or community college, provided that such officer does not violate the memorandum of understanding approved by the superintendent of the school district pursuant to K.S.A. 72-6143(i), and amendments thereto.

~~(d) Campus police officers shall have the power and authority of law enforcement officers:~~

~~(1) On property owned, occupied or operated by the school district or community college or at the site of a function sponsored by the school district or community college;~~

~~(2) on the streets, property and highways immediately adjacent to and coterminous with property described in subsection (d)(1);~~

~~(3) within the city or county where property described in subsection (d)(1) is located, as necessary to protect the health, safety and welfare of students and faculty of the school district or community college, with appropriate agreement by local law enforcement agencies. Such agreements shall include provisions, defining the geographical scope of the jurisdiction conferred, circumstances requiring the extended jurisdiction, scope of law enforcement powers and duration of the agreement. Before any agreement entered into pursuant to this section shall take effect, it shall be approved by the governing body of the city or county, or both, having jurisdiction where such property is located, and the board of education or board of trustees involved;~~

~~(4) with appropriate notification of and coordination with local law enforcement agencies, within the city or county where property described in subsection (d)(1) or (d)(2) is located, when there is reason to believe that a violation of a state law, county resolution or city ordinance has occurred on such property, as necessary to investigate and arrest persons for such a violation;~~

~~(5) when in fresh pursuit of a person; and~~

~~(6) when transporting persons in custody to an appropriate facility, wherever it may be located.~~

(e) In addition to enforcement of state law, county resolutions and city ordinances, campus police officers shall enforce rules and regulations and rules and policies of the board of trustees or school board, whether or not violation thereof constitutes a criminal offense. While on duty, campus police officers shall wear and display publicly a badge of office. No such badge shall be required to be worn by any plain clothes investigator or departmental administrator, but any such officer shall present proper credentials and identification when required in the performance of such officer's duties. In performance



of any of the powers, duties and functions authorized by this section, K.S.A. 22-2401a, and amendments thereto, or any other law, campus police officers shall have the same rights, protections and immunities afforded other law enforcement officers.

(f)(e) The board of education of each school district shall adopt a policy providing for notification of a student's parents or guardians whenever the student is taken into custody by a campus police officer.";

Also on page 2, in line 6, before "K.S.A" by inserting "K.S.A. 38-2210, 38-2211, 38-2212 and 72-6146 and"; also in line 6, after "Supp." by inserting "22-2401a and"; also in line 6, by striking "is" and inserting "are"; in line 8, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "crimes, punishment and criminal procedure" and inserting "law enforcement"; in line 2, after "to" by inserting "criminal history record information; requiring the retention of fingerprint information; participation in the rap back program; limiting access to fingerprints and records relating to fingerprints; relating to privacy rights on real property; imposing restrictions on surveillance by employees of the Kansas department of wildlife and parks; expanding the jurisdiction and powers of law enforcement officers; relating to"; in line 3, after the semicolon by inserting "clarifying information exchange in investigations of child abuse between the Kansas department for children and families and law enforcement agencies; directing the department to release certain information to law enforcement agencies"; also in line 3, after "amending" by inserting "K.S.A. 38-2210, 38-2211, 38-2212 and 72-6146 and"; also in line 3, after "Supp." by inserting "22-2401a and"; in line 4, by striking "section" and inserting "sections";

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

KELLIE WARREN

RICK WILBORN

DAVID HALEY

*Conferees on part of Senate*

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Ralph, the conference committee report on **HB 2299** was adopted.

On roll call, the vote was: Yeas 110; Nays 3; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith,

E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Blex, W. Carpenter, Samsel.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2508** submits the following report:

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

On page 1, by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 21; following line 21, by inserting:

"Section 1. K.S.A. 2021 Supp. 21-5111 is hereby amended to read as follows: 21-5111. The following definitions shall apply when the words and phrases defined are used in this code, except when a particular context clearly requires a different meaning.

(a) "Act" includes a failure or omission to take action.

(b) "Another" means a person or persons as defined in this code other than the person whose act is claimed to be criminal.

(c) "Conduct" means an act or a series of acts; and the accompanying mental state.

(d) "Conviction" includes a judgment of guilt entered upon a plea of guilty.

(e) "Deception" means knowingly creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind. "Deception" as to a person's intention to perform a promise shall not be inferred from the fact alone that such person did not subsequently perform the promise. Falsity as to matters having no pecuniary significance, or puffing by statements unlikely to deceive reasonable persons, is not "deception".

(f) "Deprive permanently" means to:

(1) Take from the owner the possession, use or benefit of property, without an intent to restore the same;

(2) retain property without intent to restore the same or with intent to restore it to the owner only if the owner purchases or leases it back, or pays a reward or other compensation for its return; or

(3) sell, give, pledge or otherwise dispose of any interest in property or subject it to the claim of a person other than the owner.

(g) "Distribute" means the actual or constructive transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale, furnishing, buying for, delivering, giving, or any act that causes or is intended to cause some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act, or otherwise authorized by law.

(h) "DNA" means deoxyribonucleic acid.

(i) "Domestic violence" means an act or threatened act of violence against a person

with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. "Domestic violence" also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. For the purposes of this definition:

(1) "Dating relationship" means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.

(2) "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

(j) "Domestic violence offense" means any crime committed whereby the underlying factual basis includes an act of domestic violence.

(k) "Dwelling" means a building or portion thereof, a tent, a vehicle or other enclosed space ~~which that~~ is used or intended for use as a human habitation, home or residence.

(l) "Expungement" means the sealing of records such that the records are unavailable except to the petitioner and criminal justice agencies as provided by K.S.A. 22-4701 et seq., and amendments thereto, and except as provided in this act.

(m) "Firearm" means any weapon designed or having the capacity to propel a projectile by force of an explosion or combustion.

(n) "Forcible felony" includes any treason, murder, voluntary manslaughter, rape, robbery, burglary, arson, kidnapping, aggravated battery, aggravated sodomy and any other felony ~~which that~~ involves the use or threat of physical force or violence against any person.

(o) "Intent to defraud" means an intention to deceive another person, and to induce such other person, in reliance upon such deception, to assume, create, transfer, alter or terminate a right, obligation or power with reference to property.

(p) "Law enforcement officer" means:

(1) Any person who by virtue of such person's office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes;

(2) any officer of the Kansas department of corrections or, for the purposes of K.S.A. 2021 Supp. 21-5412 and ~~subsection (d) of K.S.A. 2021 Supp. 21-5413(d)~~, and amendments thereto, any employee of the Kansas department of corrections; or

(3) any university police officer or campus police officer, as defined in K.S.A. 22-2401a, and amendments thereto.

(q) "Obtain" means to bring about a transfer of interest in or possession of property, whether to the offender or to another.

(r) "Obtains or exerts control" over property includes, but is not limited to, the taking, carrying away, sale, conveyance, transfer of title to, interest in, or possession of property.

(s) "Owner" means a person who has any interest in property.

(t) "Person" means an individual, public or private corporation, government, partnership, or unincorporated association.

(u) "Personal property" means goods, chattels, effects, evidences of rights in action and all written instruments by which any pecuniary obligation, or any right or title to property real or personal, shall be created, acknowledged, assigned, transferred, increased, defeated, discharged, or dismissed.

(v) "Possession" means knowingly having joint or exclusive control over an item ~~with knowledge of or intent to have such control~~ or knowingly keeping some item in a place where the person has some measure of access and right of control.

(w) "Property" means anything of value, tangible or intangible, real or personal.

(x) "Prosecution" means all legal proceedings by which a person's liability for a crime is determined.

(y) "Prosecutor" means the same as prosecuting attorney in K.S.A. 22-2202, and amendments thereto.

(z) "Public employee" is a person employed by or acting for the state or by or for a county, municipality or other subdivision or governmental instrumentality of the state for the purpose of exercising their respective powers and performing their respective duties, and who is not a "public officer."

(aa) "Public officer" includes the following, whether elected or appointed:

(1) An executive or administrative officer of the state, or a county, municipality or other subdivision or governmental instrumentality of or within the state;

(2) a member of the legislature or of a governing board of a county, municipality, or other subdivision of or within the state;

(3) a judicial officer, which shall include a judge of the district court, juror, master or any other person appointed by a judge or court to hear or determine a cause or controversy;

(4) a hearing officer, which shall include any person authorized by law or private agreement, to hear or determine a cause or controversy and who is not a judicial officer;

(5) a law enforcement officer; and

(6) any other person exercising the functions of a public officer under color of right.

(bb) "Real property" or "real estate" means every estate, interest, and right in lands, tenements and hereditaments.

(cc) "Solicit" or "solicitation" means to command, authorize, urge, incite, request or advise another to commit a crime.

(dd) "State" or "this state" means the state of Kansas and all land and water in respect to which the state of Kansas has either exclusive or concurrent jurisdiction, and the air space above such land and water. "Other state" means any state or territory of the United States, the District of Columbia and the Commonwealth of Puerto Rico.

(ee) "Stolen property" means property over which control has been obtained by theft.

(ff) "Threat" means a communicated intent to inflict physical or other harm on any person or on property.

(gg) "Written instrument" means any paper, document or other instrument containing written or printed matter or the equivalent thereof, used for purposes of reciting, embodying, conveying or recording information, and any money, token, stamp, seal, badge, trademark, or other evidence or symbol of value, right, privilege or identification, ~~which that~~ is capable of being used to the advantage or disadvantage of some person.

Sec. 2. K.S.A. 2021 Supp. 21-5602 is hereby amended to read as follows: 21-5602.

(a) Abuse of a child is ~~knowingly committing any of the following acts against a child under 18 years of age:~~

(1) ~~Torturing or cruelly beating any child under the age of 18 years;~~  
 (2) ~~shaking any child under the age of 18 years which results in great bodily harm to the child; or~~  
 (3) ~~inflicting cruel and inhuman corporal punishment upon any child under the age of 18 years;~~

~~(b)(A) Knowingly torturing, cruelly beating, cruelly striking or cruelly kicking;~~  
~~(B) knowingly inflicting cruel and inhuman corporal punishment; or~~  
~~(C) knowingly using cruel and inhuman physical restraint, including caging or confining the child in a space not designated for human habitation or binding the child in a way that is not medically necessary;~~

~~(2) recklessly causing great bodily harm, abusive head trauma, permanent disability or disfigurement; or~~

~~(3) (A) knowingly causing great bodily harm, abusive head trauma, permanent disability or disfigurement;~~

~~(B) knowingly inflicting cruel and inhuman corporal punishment with a deadly weapon; or~~

~~(C) knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of the child or by blocking the nose or mouth of the child in a manner whereby death or great bodily harm could be inflicted.~~

~~(b) Abuse of a child is as defined in:~~

~~(1) Severity level 5, person felony, except as provided in subsection (b)(2); and~~

~~(2) severity level 4, person felony, if the victim is under the age of six years.~~

~~(c) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for any form of battery or homicide. Subsection (a)(1) is a:~~

~~(A) Severity level 5, person felony if the child is at least six years of age but less than 18 years of age; and~~

~~(B) severity level 3, person felony if the child is under six years of age;~~

~~(2) subsection (a)(2) is a severity level 4, person felony; and~~

~~(3) subsection (a)(3) is a severity level 3, person felony.~~

Sec. 3. K.S.A. 2021 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2021 Supp. 21-5701 through 21-5717, and amendments thereto:

(a) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(b) (1) "Controlled substance analog" means a substance that is intended for human consumption, and at least one of the following:

(A) The chemical structure of the substance is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) the substance has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, such individual represents or intends the substance to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(3) substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3). It does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

(1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled

substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

(5) scales and balances used or intended for use in weighing or measuring controlled substances;

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(10) containers and other objects used or intended for use in storing or concealing controlled substances;

(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body; and

(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

(A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

(B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;

(C) carburetion pipes, glass or other ~~heat-resistant~~ heat-resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;

(D) smoking and carburetion masks;

(E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

(F) miniature cocaine spoons and cocaine vials;

(G) chamber smoking pipes;

(H) carburetor smoking pipes;

(I) electric smoking pipes;

(J) air-driven smoking pipes;

(K) chillums;

(L) bongs;

(M) ice pipes or chillers;

(N) any smoking pipe manufactured to disguise its intended purpose;

(O) wired cigarette papers; or

(P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials

described in K.S.A. 2021 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations designates as being the principal compound commonly used or produced primarily for use and that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. "Manufacture" does not include:

(1) The preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(A) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(B) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. "Marijuana" does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant that is incapable of germination;

(2) any substance listed in schedules II through V of the uniform controlled substances act;

(3) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

(4) industrial hemp as defined in K.S.A. 2021 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(l) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof that is chemically



equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw; and

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves and any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine.

(m) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. "Opiate" does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.~~

(†) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

~~(s)~~(r) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

Sec. 4. K.S.A. 2021 Supp. 22-2807 is hereby amended to read as follows: 22-2807.

~~(†)~~(a) If a defendant fails to appear as directed by the court and guaranteed by an appearance bond, the court in which the bond is deposited shall declare a forfeiture of the bail and issue a warrant for the defendant's arrest. If the defendant is charged with a felony offense, the sheriff shall enter such warrant into the national crime information center's index within 14 days of issuance of the warrant. If such warrant is not entered into such index, the sheriff shall notify the court thereof.

~~(z)~~(b) An appearance bond may only be forfeited by the court upon a failure to appear. If a defendant violates any other condition of bond, the bond may be revoked and the defendant remanded to custody. An appearance bond is revoked by the execution of a warrant for a defendant's arrest for a violation of a bond condition. The

magistrate shall ~~forthwith~~ promptly set a new bond pursuant to requirements of K.S.A. 22-2802, and amendments thereto.

~~(3)(c)(1)~~ The court may direct that a forfeiture be set aside, upon such conditions as the court may impose, if it appears that justice does not require the enforcement of the forfeiture. ~~If the surety can prove that the defendant is incarcerated somewhere within the United States prior to judgment of default by providing to the court a written statement, signed by the surety under penalty of perjury, setting forth details of such incarceration, then the court shall set aside the forfeiture. Upon the defendant's return, the surety may be ordered to pay the costs of that return.~~

(2) The court shall direct that a forfeiture be set aside, upon such conditions as the court may impose, if:

(A) The surety can prove that the defendant is incarcerated somewhere within the United States prior to judgment of default by providing to the court a written statement, signed by the surety under penalty of perjury, setting forth details of such incarceration;

(B) the warrant required to be issued by subsection (a) was not issued within 14 days of the forfeiture;

(C) a warrant that is required to be entered into the national crime information center's index pursuant to subsection (a) was not entered within 14 days of issuance, unless there is good cause shown for the failure to enter such warrant into the index; or

(D) the defendant has been arrested outside of this state and the prosecuting attorney has declined to proceed with extradition.

(3) Upon the defendant's return, the surety may be ordered to pay the costs of such return.

~~(4)(d)~~ When a forfeiture has not been set aside, the court shall on motion enter a judgment of default and execution may issue thereon. If the forfeiture has been decreed by a district magistrate judge and the amount of the bond exceeds the limits of the civil jurisdiction prescribed by law for a district magistrate judge, the judge shall notify the chief judge in writing of the forfeiture and the matter shall be assigned to a district judge who, on motion, shall enter a judgment of default. By entering into a bond the obligors submit to the jurisdiction of any court having power to enter judgment upon default and irrevocably appoint the clerk of that court as their agent upon whom any papers affecting their liability may be served. Their liability may be enforced on motion without the necessity of an independent action. The motion and notice thereof may be served on the clerk of the court, who shall forthwith mail copies to the obligors to their last known addresses. No judgment may be entered against the obligor in an appearance bond until more than 60 days after notice is served as provided herein. No judgment may be entered against the obligor in an appearance bond more than two years after a defendant's failure to appear.

~~(5)(e)~~ After entry of ~~such~~ judgment pursuant to subsection (d), the court may remit ~~to such judgment~~ in whole or in part under the conditions applying to the setting aside of forfeiture in subsection ~~(3)(c)~~.

Sec. 5. K.S.A. 2021 Supp. 22-2902 is hereby amended to read as follows: 22-2902.

~~(1)(a)~~ The state and every person charged with a felony shall have a right to a preliminary examination before a magistrate, unless such charge has been issued as a result of an indictment by a grand jury.

~~(2)(b)~~ The preliminary examination shall be held before a magistrate of a county in which venue for the prosecution lies within 14 days after the arrest or personal

appearance of the defendant. Continuances may be granted only for good cause shown.

~~(3)~~(c) The defendant shall not enter a plea at the preliminary examination. The defendant shall be personally present and except for witnesses who are children less than 13 years of age, the witnesses shall be examined in the defendant's presence. The defendant's voluntary absence after the preliminary examination has been begun in the defendant's presence shall not prevent the continuation of the examination. Except for witnesses who are children less than 13 years of age, the defendant shall have the right to cross-examine witnesses against the defendant and introduce evidence in the defendant's own behalf. If from the evidence it appears that a felony has been committed and there is probable cause to believe that a felony has been committed by the defendant, the magistrate shall order the defendant bound over to the district judge having jurisdiction to try the case; otherwise, the magistrate shall discharge the defendant. When the victim of the felony is a child less than 13 years of age, the finding of probable cause as provided in this subsection may be based upon hearsay evidence in whole or in part presented at the preliminary examination by means of statements made by a child less than 13 years of age on a videotape recording or by other means.

(d) The defendant and the state shall be permitted to present the testimony of a witness through a two-way electronic audio-video communication device.

~~(4)~~(e) If the defendant and the state waive preliminary examination, the magistrate shall order the defendant bound over to the district judge having jurisdiction to try the case.

~~(5)~~(f) Any judge of the district court may conduct a preliminary examination, and a district judge may preside at the trial of any defendant even though such judge presided at the preliminary examination of such defendant.

~~(6)~~(g) The complaint or information, as filed by the prosecuting attorney pursuant to K.S.A. 22-2905, and amendments thereto, shall serve as the formal charging document at trial. When a defendant and prosecuting attorney reach agreement on a plea of guilty or nolo contendere, the defendant and the prosecuting attorney shall notify the district court of such agreement and arrange for a time to plead, pursuant to K.S.A. 22-3210, and amendments thereto.

~~(7)~~(h) The judge of the district court, when conducting the preliminary examination, shall have the discretion to conduct arraignment, subject to assignment pursuant to K.S.A. 20-329, and amendments thereto, at the conclusion of the preliminary examination.

Sec. 6. K.S.A. 22-3301 is hereby amended to read as follows: 22-3301. ~~(1)~~ For the purpose of this article;

(a) A person is "incompetent to stand trial" when ~~he~~ such person is charged with a crime and, because of mental illness or defect is unable:

~~(a)~~(1) To understand the nature and purpose of the proceedings against ~~him~~ such person; or

~~(b)~~(2) to make or assist in making ~~his~~ such person's defense.

~~(2)~~(b) Whenever the words "competent," "competency," "incompetent" and "incompetency" are used without qualification in this article, they shall refer to the defendant's competency or incompetency to stand trial, as defined in subsection ~~(1)~~ of this section (a).

(c) "Appropriate state, county or private institution or facility" means a facility with sufficient resources, staffing and space to conduct the evaluation or restoration

treatment of the defendant. "Appropriate state, county or private institution or facility" does not include a jail or correctional facility as a location where evaluation and restoration treatment services are provided unless the administrative head or law enforcement official in charge of the jail or correctional facility agrees that the facility has the appropriate physical and care capabilities that such services may be provided by:

- (1) The state security hospital or its agent or a state hospital or its agent;
- (2) a qualified mental health professional as defined in K.S.A. 59-2946, and amendments thereto, who is qualified by training and expertise to conduct competency restoration treatment;
- (3) an individual who is qualified by training and experience to conduct competency evaluations and restoration treatment and is licensed by the behavioral sciences regulatory board; or
- (4) a physician who is qualified by training and experience to conduct competency evaluations and restoration treatment and is licensed by the state board of healing arts.

Sec. 7. K.S.A. 2021 Supp. 22-3302 is hereby amended to read as follows: 22-3302. ~~(1)(a)~~ At any time after the defendant has been charged with a crime and before pronouncement of sentence, the defendant, the defendant's counsel or the prosecuting attorney may request a determination of the defendant's competency to stand trial. If, upon the request of either party or upon the judge's own knowledge and observation, the judge before whom the case is pending finds that there is reason to believe that the defendant is incompetent to stand trial, the proceedings shall be suspended and a hearing conducted to determine the competency of the defendant.

~~(2)(b)~~ If the defendant is charged with a felony, the hearing to determine the competency of the defendant shall be conducted by a district judge.

~~(3)(A)(c)(1)~~ The court shall determine the issue of competency and may impanel a jury of six persons to assist in making the determination. The court may order a psychiatric or psychological examination of the defendant. To facilitate the examination, the court may:

~~(a)(A)~~ Commit the defendant to the state security hospital or any Order that an evaluation be completed by an appropriate state, county, or private institution or facility for examination and report to the court, ~~except that the court shall not commit the defendant to the state security hospital or any other state institution unless, prior to such commitment, the director of a local county or private institution recommends to the court and to the secretary for aging and disability services that examination of the defendant should be performed at a state institution to be conducted in person or by use of available electronic means while the defendant is in jail, at any secure location or on pretrial release;~~

~~(b)(B)~~ designate any an appropriate psychiatric or psychological clinic, mental health center or other psychiatric or psychological state, county or private institution or facility to conduct the examination while the defendant is in jail, at any secure location or on pretrial release; or

~~(c)(C)~~ appoint two a qualified licensed ~~physicians~~ physician who is qualified through training or experience or a licensed psychologists, or one of each, psychologist to examine the defendant and report to the court.

~~(B)(2)~~ If the court ~~commits orders~~ the defendant committed to an institution or facility for the examination, the commitment shall be for a period not to exceed 60 days

from the date of admission or until the examination is completed, whichever is the shorter period of time. No statement made by the defendant in the course of any examination provided for by this section, whether or not the defendant consents to the examination, shall be admitted in evidence against the defendant in any criminal proceeding.

~~(C)(3)~~ Before the expiration of the 60-day evaluation period, the professional approved by the court to examine the defendant or, if the defendant is committed for inpatient examination, the chief medical officer or head of the appropriate institution or facility shall certify to the court whether the defendant is competent to stand trial.

(4) Upon notification of the court that a defendant committed for psychiatric or psychological examination under this subsection has been found competent to stand trial, the court shall order that the defendant be returned no later than seven days after receipt of the notice for proceedings under this section. If the defendant is not returned within that time, the county ~~in which~~ where the proceedings will be held shall pay the costs of maintaining the defendant at the institution or facility for the period of time the defendant remains at the institution or facility in excess of the seven-day period.

~~(4)(d)~~ If the defendant is found to be competent, the proceedings ~~which that~~ have been suspended shall be resumed. If the proceedings were suspended before or during the preliminary examination, the judge who conducted the competency hearing may conduct a preliminary examination or, if a district magistrate judge was conducting the proceedings prior to the competency hearing, the judge who conducted the competency hearing may order the preliminary examination to be heard by a district magistrate judge.

~~(5)(e)~~ If the defendant is found to be incompetent to stand trial, the court shall proceed in accordance with K.S.A. 22-3303, and amendments thereto.

~~(6)(f)~~ If proceedings are suspended and a hearing to determine the defendant's competency is ordered after the defendant is in jeopardy, the court may either order a recess or declare a mistrial.

~~(7)(g)~~ The defendant shall be present personally at all proceedings under this section.

Sec. 8. K.S.A. 2021 Supp. 22-3303 is hereby amended to read as follows: 22-3303. ~~(a)~~ (1) A defendant who is charged with a crime and is found to be incompetent to stand trial shall be ~~committed~~ ordered for evaluation and treatment ~~to any, conducted on an outpatient or inpatient basis, by an appropriate state, county, or private institution or facility. At the time of such commitment the institution of commitment shall notify the county or district attorney of the county in which the criminal proceedings are pending for the purpose of providing victim notification. Any such commitment shall be for a period not to exceed 90 days. Within 90 days after the defendant's commitment to such institution, the chief medical officer of such institution shall~~ Evaluation or restorative treatment of a defendant shall not be conducted in a jail unless the administrative head or law enforcement official in charge of the jail agrees to such evaluation or restorative treatment being conducted in such jail.

(2) An evaluation and treatment may be ordered to be conducted on an outpatient basis in person or by use of available electronic means while the defendant is in jail, at any secure location, on pretrial release or in any other appropriate setting.

(3) For a defendant charged with a misdemeanor offense, outpatient evaluation and treatment may be ordered to be conducted by an appropriate state, county or private

institution or facility.

(4) For a defendant charged with a felony offense, outpatient evaluation and treatment may be ordered to be conducted by an appropriate state, county or private institution or facility.

(5) For a defendant charged with a felony offense, a commitment to the state security hospital or its agent or a state hospital or its agent may be conducted on an inpatient basis or, if the defendant meets the screening criteria established by the state security hospital, on an outpatient basis.

(6) At the commencement of outpatient treatment, the institution or facility conducting the treatment shall notify the prosecuting attorney in the county where the criminal proceeding is pending for the purpose of providing victim notification.

(b) (1) Except as provided in subsection (d), if the defendant is ordered to receive an evaluation and treatment on an outpatient basis conducted by an appropriate state, county or private institution or facility, the chief medical officer of such institution or head of such facility shall certify to the court, within 90 days after the commencement of outpatient treatment, whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future. The court shall set a hearing within 21 days after certification unless exceptional circumstances warrant delay, for the purpose of determining competency.

(2) If such probability does exist, the court shall order the defendant to remain in jail or at a secure location, on pretrial release pursuant to K.S.A. 22-2802, and amendments thereto, or at an appropriate state, county, private institution or facility setting until the defendant attains competency to stand trial or for a period of six months from the date of the original commitment the commencement of outpatient treatment, whichever occurs first. If such probability does not exist, the court shall order the secretary for aging and disability services prosecuting attorney where the charges are filed to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony, or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self and or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(2)(3) If a defendant who was found to have had a substantial probability of attaining competency to stand trial, as provided in ~~subsection (1)~~ paragraph (2), has not attained competency to stand trial within six months from the date of the original commitment, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional

circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony, or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self ~~and~~ or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

~~(3)~~(4) When reasonable grounds exist to believe that a defendant who has been adjudged incompetent to stand trial is competent, the court in which the criminal case is pending shall conduct a hearing in accordance with K.S.A. 22-3302, and amendments thereto, to determine the person's present mental condition. Such court shall give reasonable notice of such hearings to the prosecuting attorney, the defendant and the defendant's attorney of record, if any. The prosecuting attorney shall provide victim notification. If the court, following such hearing, finds the defendant to be competent, the proceedings pending against the defendant shall be resumed.

~~(4)~~(5) A defendant committed to a public institution or facility under the provisions of this section who is thereafter sentenced for the crime charged at the time of commitment ~~may shall~~ be credited with all ~~or any part~~ of the time during which the defendant was committed and confined in such public institution or facility.

(c) (1) Except as provided in subsection (d), if a defendant is ordered or met criteria to receive an evaluation and treatment on an outpatient basis conducted by the state security hospital or its agent or a state hospital or its agent, the chief medical officer shall certify to the court, within 90 days after commencement of treatment, whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future.

(2) If such probability does exist, the court shall order the defendant to remain in jail or at a secure location, on pretrial release pursuant to K.S.A. 22-2802, and amendments thereto, or at an appropriate setting until the defendant attains competency to stand trial or for a period of six months from the date of the commencement of outpatient treatment, whichever occurs first. If such probability does not exist, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(3) If a defendant who was found to have had a substantial probability of attaining

competency to stand trial, as provided in paragraph (2), has not attained competency to stand trial within six months from the date of the original commitment, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1 through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(4) When reasonable grounds exist to believe that a defendant who has been adjudged incompetent to stand trial is competent, the court in which the criminal case is pending shall conduct a hearing in accordance with K.S.A. 22-3302, and amendments thereto, to determine the person's present mental condition. Such court shall give reasonable notice of such hearings to the prosecuting attorney, the defendant and the defendant's attorney of record, if any. The prosecuting attorney shall provide victim notification. If the court, following such hearing, finds the defendant to be competent, the proceedings pending against the defendant shall be resumed.

(5) A defendant committed to a public institution or facility under the provisions of this section who is thereafter sentenced for the crime charged at the time of commitment shall be credited with all of the time during which the defendant was committed and confined in such public institution or facility.

(d) (1) If the defendant is ordered or met criteria to receive an evaluation and treatment on an outpatient basis and the chief medical officer of the appropriate state, county or private institution or facility determines that the defendant's mental health condition or behaviors warrant terminating outpatient treatment services and commencing evaluation and treatment on an inpatient basis, the chief medical officer of the institution or the head of the facility shall provide a report to the court within 10 days after outpatient treatment services are terminated. Such report shall certify the date that outpatient treatment was terminated and the reason inpatient evaluation and treatment services are recommended. A copy of such report shall be provided to the chief medical officer of the state security hospital. Upon receipt of such report, the court shall issue any orders or warrants required to facilitate the sheriff of the county where the charges are filed to take the defendant into custody and transport such defendant to the state security hospital or its agent or a state hospital or its agent for admission for inpatient services. The chief medical officer shall submit a report pursuant to subsection (e) as to whether the defendant has attained competency within 90 days of the defendant's admission to such hospital for inpatient evaluation and treatment.

(2) The court, prosecuting attorney where criminal charges are pending, the defense counsel for a defendant charged with a felony offense who is receiving outpatient evaluation and treatment services and the chief medical officer of any institution or the



head of any facility where the defendant is receiving outpatient services shall provide requested documentation to the state security hospital or its agent or the state hospital or its agent for the purpose of managing inpatient admission.

(e) (1) If the defendant is charged with a felony offense, the court may order a defendant to receive inpatient evaluation and treatment at an appropriate state, county or private institution or facility after considering the defendant's mental condition, behaviors and the availability of outpatient evaluation and treatment options. The chief medical officer of the institution or the head of the facility shall certify to the court, within 90 days after the commencement of inpatient treatment, whether the defendant has a substantial probability of attaining competency to stand trial in the foreseeable future.

(2) If such probability does exist, the court shall order the defendant to remain in jail or at a secure location, on pretrial release pursuant to K.S.A. 22-2802, and amendments thereto, or at an appropriate setting until the defendant attains competency to stand trial or for a period of six months from the date of the commencement of inpatient treatment, whichever occurs first. If such probability does not exist, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1, through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(3) If a defendant who was found to have had a substantial probability of attaining competency to stand trial, as provided in paragraph (2), has not attained competency to stand trial within six months from the date of the original commitment, the court shall order the prosecuting attorney where the charges are filed or the secretary for aging and disability services to commence involuntary commitment proceedings pursuant to article 29 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, within 21 days of receipt of the certification from the chief medical officer of the institution or the head of the facility unless exceptional circumstances warrant delay. When a defendant is charged with any off-grid felony, any nondrug severity level 1, through 3 felony or a violation of K.S.A. 21-3504, 21-3511, 21-3518, 21-3603 or 21-3719, prior to their repeal, or K.S.A. 2021 Supp. 21-5505(b), 21-5506(b), 21-5508(b), 21-5604(b) or 21-5812(b), and amendments thereto, and commitment proceedings have commenced, for such proceeding, "mentally ill person subject to involuntary commitment for care and treatment" means a mentally ill person, as defined in K.S.A. 59-2946(e), and amendments thereto, who is likely to cause harm to self or others, as defined in K.S.A. 59-2946(f)(3), and amendments thereto. The other provisions of K.S.A. 59-2946(f), and amendments thereto, shall not apply.

(4) When reasonable grounds exist to believe that a defendant who has been adjudged incompetent to stand trial is competent, the court in which the criminal case is pending shall conduct a hearing in accordance with K.S.A. 22-3302, and amendments thereto, to determine the person's present mental condition. Such court shall give reasonable notice of such hearings to the prosecuting attorney, the defendant and the defendant's attorney of record, if any. The prosecuting attorney shall provide victim notification. If the court, following such hearing, finds the defendant to be competent, the proceedings pending against the defendant shall be resumed.

(5) A defendant committed to a public institution or facility under the provisions of this section who is thereafter sentenced for the crime charged at the time of commitment shall be credited with all of the time during which the defendant was committed and confined in such public institution or facility.

(f) (1) Notwithstanding the provisions of K.S.A. 59-29a22, and amendments thereto, psychotropic medications may be prescribed for any defendant who is ordered or has met the criteria to receive evaluation and treatment on an inpatient or outpatient basis at an appropriate state, county or private institution or facility.

(2) Psychotropic medications shall be prescribed, ordered and administered in conformity with accepted clinical practice. Psychotropic medication shall be administered only upon the written order of a physician or upon a verbal order noted in the defendant's medical records and subsequently signed by the physician. The attending physician shall regularly review the drug regimen of each defendant under such physician's care and shall monitor any symptoms of harmful side effects.

(3) Whenever any defendant is receiving psychotropic medications that alter the defendant's mental state in such a way as to adversely affect the defendant's judgment or hamper the defendant in preparing for or participating in any hearing provided for by this section, for two days prior to and during any such hearing, the treatment institution or facility shall not administer such medication or treatment unless such medication or treatment is necessary to sustain the defendant's life or to protect the defendant or others. Prior to the hearing, a report of all psychotropic medications or other treatment that has been administered to the defendant and a copy of any written consent signed by the defendant shall be submitted to the court. Counsel for the defendant may preliminarily examine the attending physician regarding the administration of any medication to the defendant within two days of the hearing and the effect that medication may have had on the defendant's judgment or ability to prepare for or participate in the hearing. If the court determines that medication or other treatment has been administered that adversely affects the defendant's judgment or ability to prepare for or participate in the hearing, the court may grant the defendant a reasonable continuance to allow for the defendant to be better able to prepare for or participate in the hearing. The court shall order that such medication or other treatment be discontinued until the conclusion of the hearing unless the court finds that such medication or other treatment is necessary to sustain the defendant's life or to protect the defendant or others. If the court makes such a finding, the court shall order the hearing to proceed.

(4) If a defendant who is charged with a felony is receiving treatment pursuant to this section and is not deemed a present danger to self or others objects to taking any medication prescribed for the purpose of restoring the defendant to competency, the defendant's objection shall be recorded in the defendant's medical record and written

notice of such objection shall be forwarded to the medical director of the treatment institution or facility or the director's designee and to the court where the criminal charges are pending. The medication may be administered over the defendant's objection only if the court finds that:

(A) The medication is substantially unlikely to have side effects that may undermine the fairness of the trial;

(B) the medication is medically appropriate;

(C) less intrusive alternatives have been considered;

(D) the medication is necessary to advance significantly important governmental trial interests; and

(E) the administrative head or law enforcement official in charge of the jail has agreed to having the medication administered over the defendant's objection in the jail.

(5) No experimental medication shall be administered without the consent of the defendant or such defendant's legal guardian.

Sec. 9. K.S.A. 2021 Supp. 22-3305 is hereby amended to read as follows: 22-3305. ~~(1)~~(a) Whenever involuntary commitment proceedings have been commenced by the secretary for aging and disability services or the prosecuting attorney as required by K.S.A. 22-3303, and amendments thereto, and the defendant is not committed to a treatment institution or facility as a patient, the defendant shall remain in the institution or facility where committed pursuant to K.S.A. 22-3303, and amendments thereto. The secretary for aging and disability services or the prosecuting attorney shall promptly notify the court and the ~~county or district prosecuting~~ attorney of the county ~~in which~~ where the criminal proceedings are pending for the purpose of providing victim notification, of the result of the involuntary commitment proceeding.

~~(2)~~(b) Whenever involuntary commitment proceedings have been commenced by the secretary for aging and disability services or the prosecuting attorney as required by K.S.A. 22-3303, and amendments thereto, and the defendant is committed to a treatment institution or facility as a patient but thereafter is to be discharged pursuant to the care and treatment act for mentally ill persons, the defendant shall remain in the institution or facility where committed pursuant to K.S.A. 22-3303, and amendments thereto, and the head of the treatment institution or facility shall promptly notify the court and the ~~county or district prosecuting~~ attorney of the county ~~in which~~ where the criminal proceedings are pending for the purpose of providing victim notification, that the defendant is to be discharged.

(c) When giving notification to the court and the ~~county or district prosecuting~~ attorney pursuant to subsection ~~(1)~~ (a) or ~~(2)~~ (b), the treatment institution or facility shall include in such notification an opinion from the head of the treatment institution or facility as to whether or not the defendant is now competent to stand trial. Upon request of the ~~county or district prosecuting~~ attorney, the court may set a hearing on the issue of whether or not the defendant has been restored to competency. If such hearing request is granted, the ~~county or district prosecuting~~ attorney shall provide victim notification regarding the hearing date. Such hearing request shall be filed within 14 days of completion of the notification from the head of the treatment institution or facility pursuant to subsection (a) or (b). The hearing shall take place within 21 days after receipt of the hearing request unless the court finds that exceptional circumstances warrant delay of the hearing. If no such hearing request is made within 14 days after receipt of notice pursuant to subsection ~~(1)~~ (a) or ~~(2)~~ (b), the court shall order the

defendant to be discharged from commitment and shall dismiss without prejudice the charges against the defendant, and the period of limitation for the prosecution for the crime charged shall not continue to run until the defendant has been determined to have attained competency in accordance with K.S.A. 22-3302, and amendments thereto. The ~~county or district~~ prosecuting attorney shall provide victim notification regarding the discharge order.

Sec. 10. K.S.A. 2021 Supp. 22-3428 is hereby amended to read as follows: 22-3428. ~~(1)~~(a) (1) When a defendant is acquitted and the jury answers in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto, the defendant shall be committed to the state security hospital or an appropriate secure facility for safekeeping and treatment and the ~~county or district~~ prosecuting attorney shall provide victim notification. A finding of not guilty and the jury answering in the affirmative to the special question asked pursuant to K.S.A. 22-3221, and amendments thereto, shall be prima facie evidence that the acquitted defendant is presently likely to cause harm to self or others.

~~(2)~~(2) Within 90 days of the defendant's admission, the chief medical officer of the state security hospital or licensed psychologist at the appropriate secure facility shall send to the court a written evaluation report. Upon receipt of the report, the court shall set a hearing to determine whether or not the defendant is currently a mentally ill person. The hearing shall be held within 30 days after the receipt by the court of the chief medical officer's report unless the court finds that exceptional circumstances warrant delay of the hearing.

~~(3)~~(3) The court shall give notice of the hearing to the chief medical officer of the state security hospital or licensed psychologist at the appropriate secure facility, the ~~district or county~~ prosecuting attorney, the defendant and the defendant's attorney. The ~~county or district~~ prosecuting attorney shall provide victim notification. The court shall inform the defendant that such defendant is entitled to counsel and that counsel will be appointed to represent the defendant if the defendant is not financially able to employ an attorney as provided in K.S.A. 22-4503 et seq., and amendments thereto. The defendant shall remain at the state security hospital pending the hearing.

~~(4)~~(4) At the hearing, the defendant shall have the right to present evidence and cross-examine witnesses. At the conclusion of the hearing, if the court finds by clear and convincing evidence that the defendant is not currently a mentally ill person, the court shall dismiss the criminal proceeding and discharge the defendant, otherwise the court may commit the defendant to the state security hospital or an appropriate secure facility for treatment or may place the defendant on conditional release pursuant to subsection ~~(4)~~ (d). The ~~county or district~~ prosecuting attorney shall provide victim notification regarding the outcome of the hearing.

~~(2)~~(b) Subject to the provisions of subsection ~~(3)~~ (c):

~~(a)~~(1) Whenever it appears to the chief medical officer of the state security hospital or a licensed psychologist at the appropriate secure facility that a person committed under subsection ~~(1)~~ (a) ~~(4)~~ is not likely to cause harm to other persons in a less restrictive hospital environment, the officer may transfer the person to any state hospital, subject to the provisions of subsection ~~(3)~~ (c). At any time subsequent thereto during which such person is still committed to a state hospital, if the chief medical officer of that hospital or the licensed psychologist at the appropriate secure facility finds that the person may be likely to cause harm or has caused harm, to others, such

officer may transfer the person back to the state security hospital.

~~(b)(2)~~ Any person committed under subsection ~~(1)(d)~~ (a)(4) may be granted conditional release or discharge as an involuntary patient.

~~(c)~~ Before transfer of a person from the state security hospital or appropriate secure facility pursuant to subsection ~~(2)(a)~~ (b)(1) or conditional release or discharge of a person pursuant to subsection ~~(2)(b)~~ (b)(2), the chief medical officer of the state security hospital or the state hospital where the patient is under commitment or the licensed psychologist at the appropriate secure facility shall give notice to the district court of the county from which the person was committed that transfer of the patient is proposed or that the patient is ready for proposed conditional release or discharge. Such notice shall include, but not be limited to: ~~(a)~~ (1) Identification of the patient; ~~(b)~~ (2) the course of treatment; ~~(c)~~ (3) a current assessment of the defendant's mental illness; ~~(d)~~ (4) recommendations for future treatment, if any; and ~~(e)~~ (5) recommendations regarding conditional release or discharge, if any. Upon receiving notice, the district court shall order that a hearing be held on the proposed transfer, conditional release or discharge. The court shall give notice of the hearing to the appropriate secure facility, state hospital or state security hospital where the patient is under commitment, to the ~~district or county prosecuting~~ attorney of the county from which the person was originally ordered committed. The ~~county or district prosecuting~~ attorney shall provide victim notification regarding the hearing. The court shall order the involuntary patient to undergo a mental evaluation by a person designated by the court. A copy of all orders of the court shall be sent to the involuntary patient and the patient's attorney. The report of the court ordered mental evaluation shall be given to the ~~district or county prosecuting~~ attorney, the involuntary patient and the patient's attorney at least seven days prior to the hearing. The hearing shall be held within 30 days after the receipt by the court of the chief medical officer's notice unless the court finds that exceptional circumstances warrant delay of the hearing. The involuntary patient shall remain in the appropriate secure facility, state hospital or state security hospital where the patient is under commitment until the hearing on the proposed transfer, conditional release or discharge is to be held. At the hearing, the court shall receive all relevant evidence, including the written findings and recommendations of the chief medical officer of the state security hospital or the state hospital or the licensed psychologist of the appropriate secure facility where the patient is under commitment, and shall determine whether the patient shall be transferred to a less restrictive hospital environment or whether the patient shall be conditionally released or discharged. The patient shall have the right to present evidence at such hearing and to cross-examine any witnesses called by the ~~district or county prosecuting~~ attorney. At the conclusion of the hearing, if the court finds by clear and convincing evidence that the patient will not be likely to cause harm to self or others if transferred to a less restrictive hospital environment, the court shall order the patient transferred. If the court finds by clear and convincing evidence that the patient is not currently a mentally ill person, the court shall order the patient discharged or conditionally released; otherwise, the court shall order the patient to remain in the state security hospital or state hospital where the patient is under commitment. If the court orders the conditional release of the patient in accordance with subsection ~~(4)~~ (d), the court may order as an additional condition to the release that the patient continue to take prescribed medication and report as directed to a person licensed to practice medicine and surgery to determine whether or not the patient is

taking the medication or that the patient continue to receive periodic psychiatric or psychological treatment. The ~~county or district prosecuting~~ attorney shall notify any victims of the outcome of the hearing.

~~(4)~~(d) In order to ensure the safety and welfare of a patient who is to be conditionally released and the citizenry of the state, the court may allow the patient to remain in custody at a facility under the supervision of the secretary for aging and disability services or the head of the appropriate secure facility for a period of time not to exceed 45 days in order to permit sufficient time for the secretary to prepare recommendations to the court for a suitable reentry program for the patient and allow adequate time for the ~~county or district prosecuting~~ attorney to provide victim notification. The reentry program shall be specifically designed to facilitate the return of the patient to the community as a functioning, self-supporting citizen, and may include appropriate supportive provisions for assistance in establishing residency, securing gainful employment, undergoing needed vocational rehabilitation, receiving marital and family counseling, and such other outpatient services that appear beneficial. If a patient who is to be conditionally released will be residing in a county other than the county where the district court that ordered the conditional release is located, the court shall transfer venue of the case to the district court of the other county and send a copy of all of the court's records of the proceedings to the other court. In all cases of conditional release the court shall:

~~(a)~~(1) Order that the patient be placed under the temporary supervision of district court probation and parole services, community treatment facility or any appropriate private agency; and

~~(b)~~(2) require as a condition precedent to the release that the patient agree in writing to waive extradition in the event a warrant is issued pursuant to K.S.A. 22-3428b, and amendments thereto.

~~(5)~~(e) At any time during the conditional release period, a conditionally released patient, through the patient's attorney, or the ~~county or district prosecuting~~ attorney of the county ~~in which where~~ the district court having venue is located may file a motion for modification of the conditions of release, and the court shall hold an evidentiary hearing on the motion within 14 days of its filing. The court shall give notice of the time for the hearing to the patient and the ~~county or district prosecuting~~ attorney. If the court finds from the evidence at the hearing that the conditional provisions of release should be modified or vacated, it shall so order. If at any time during the transitional period the designated medical officer or supervisory personnel or the treatment facility informs the court that the patient is not satisfactorily complying with the provisions of the conditional release, the court, after a hearing for which notice has been given to the ~~county or district prosecuting~~ attorney and the patient, may make orders: ~~(a)~~ (1) For additional conditions of release designed to effect the ends of the reentry program; ~~(b)~~ (2) requiring the ~~county or district prosecuting~~ attorney to file a petition to determine whether the patient is a mentally ill person as provided in K.S.A. 59-2957, and amendments thereto; or ~~(c)~~ (3) requiring that the patient be committed to the appropriate secure facility, state security hospital or any state hospital. In cases where a petition is ordered to be filed, the court shall proceed to hear and determine the petition pursuant to the care and treatment act for mentally ill persons and that act shall apply to all subsequent proceedings. If a patient is committed to any state hospital pursuant to this act the ~~county or district prosecuting~~ attorney shall provide victim notification. The

costs of all proceedings, the mental evaluation and the reentry program authorized by this section shall be paid by the county from which the person was committed.

~~(6)~~(f) In any case in which the defense that the defendant lacked the required mental state pursuant to K.S.A. 22-3220, and amendments thereto, is relied on, the court shall instruct the jury on the substance of this section.

~~(7)~~(g) As used in this section and K.S.A. 22-3428a, and amendments thereto:

~~(a)~~(1) "Likely to cause harm to self or others" means that the person is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, or evidenced by behavior causing, attempting or threatening such injury, abuse or neglect.

~~(b)~~(2) "Mentally ill person" means any person who:

(A) Is suffering from a severe mental disorder to the extent that such person is in need of treatment; and

(B) is likely to cause harm to self or others.

~~(c)~~(3) "Treatment facility" means any mental health center or clinic, psychiatric unit of a medical care facility, psychologist, physician or other institution or individual authorized or licensed by law to provide either inpatient or outpatient treatment to any patient.

Sec. 11. K.S.A. 2021 Supp. 22-3429 is hereby amended to read as follows: 22-3429. After conviction and prior to sentence and as part of the presentence investigation authorized by K.S.A. 2021 Supp. 21-6703, and amendments thereto, or for crimes committed on or after July 1, 1993, a presentence investigation report as provided in K.S.A. 2021 Supp. 21-6813, and amendments thereto, the trial judge may order the defendant committed to the state security hospital for mental examination, evaluation and report. ~~If the defendant is convicted of a felony, the commitment shall be to the state security hospital or any suitable local mental health facility. If the defendant is convicted of a misdemeanor, the commitment shall be to a state hospital or any suitable local mental health facility. If adequate private facilities are available and if the defendant is willing to assume the expense thereof, commitment may be to a private hospital.~~ A report of the examination and evaluation shall be furnished by the chief medical officer to the judge and shall be made available to the prosecuting attorney and counsel for the defendant. A defendant may not be detained for more than 120 days under a commitment made under this section.

Sec. 12. K.S.A. 22-3301 and K.S.A. 2021 Supp. 21-5111, 21-5602, 21-5701, 22-2807, 22-2902, 22-3302, 22-3303, 22-3305, 22-3428 and 22-3429 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking "fingerprints" and inserting "crimes, punishment and criminal procedure; relating to definitions in the Kansas criminal code; modifying the definition of possession; relating to abuse of a child; modifying the elements of the offense; increasing criminal penalties thereof; relating to conditions of release prior to trial; requiring a forfeiture of an appearance bond to be set aside in certain circumstances; relating to preliminary hearings; permitting witness testimony through two-way electronic audio-video communication devices; relating to competency to stand trial; mobile competency evaluations; amending K.S.A. 22-3301 and K.S.A. 2021 Supp. 21-5111, 21-5602, 21-5701, 22-2807, 22-2902, 22-3302, 22-3303, 22-3305, 22-

3428 and 22-3429 and repealing the existing sections";

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

KELLIE WARREN

RICK WILBORN

DAVID HALEY

*Conferees on part of Senate*

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Ralph, the conference committee report on **HB 2508** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2377** submits the following report:

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

On page 2, following line 1, by inserting:

"New Section 1. (a) Operating an aircraft under the influence is operating or attempting to operate any aircraft within this state while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, is 0.04 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within four hours of the time of operating or attempting to operate an aircraft, is 0.04 or more;



(3) under the influence of alcohol to a degree that renders the person incapable of safely operating an aircraft;

(4) under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely operating an aircraft; or

(5) under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely operating an aircraft.

(b) (1) Operating an aircraft under the influence is a class A nonperson misdemeanor, except as provided in subsection (b)(2).

(A) On a first conviction, the person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750.

(B) On second or subsequent conviction, the person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250. The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 120 hours of confinement. The hours of confinement shall include at least 48 hours of imprisonment and otherwise may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 120 hours of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program until the minimum sentence is met. If the person is placed into a work release program or placed under a house arrest program for more than the minimum of 120 hours of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program until the minimum of 120 hours of confinement is completed, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence.

(2) (A) Operating an aircraft under the influence is a severity level 6, nonperson felony if the offense occurred while the person convicted is prohibited from operating an aircraft:

(i) By a court order pursuant to this section; or

(ii) because such person's pilot license is revoked or suspended by an order of the federal aviation administration for a prior alcohol or drug-related conviction.

(B) The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 30 days of confinement. After at least 48 consecutive hours of imprisonment, the remainder of the period of confinement may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 2021 Supp. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 30 days of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program for the first 240 hours of confinement, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence.

(3) As part of the judgment of conviction, the court shall order the person convicted not to operate an aircraft for any purpose for a period of six months from the date of final discharge from the county jail, or the date of payment or satisfaction of such fine, whichever is later or one year from such date on a second conviction. If the court suspends the sentence and places the person on probation as provided by law, the court shall order as one of the conditions of probation that such person not operate an aircraft for any purpose for a period of 30 days from the date of the order on a first conviction or 60 days from the date of the order on a second conviction.

(4) For the purpose of determining whether an occurrence is a first, second or subsequent occurrence:

(A) "Conviction" includes entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging commission of a crime described in subsection (a); and

(B) it is irrelevant whether an offense occurred before or after conviction or diversion for a previous offense.

(c) If a person is charged with a violation of subsection (a)(4) or (a)(5), the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

New Sec. 2. (a) Any person who operates or attempts to operate an aircraft within this state may be requested, subject to the provisions of sections 1 through 4, and amendments thereto, to submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The testing shall include all quantitative and qualitative tests for alcohol and drugs. The test shall be administered at the direction of a law enforcement officer, and the law enforcement officer shall determine which type of test is to be conducted or requested.

(b) (1) One or more tests may be required of a person when, at the time of the request, a law enforcement officer has probable cause to believe the person has committed a violation of section (1)(a), and amendments thereto, while having alcohol or drugs in such person's system, and one of the following conditions exists:

(A) The person has been arrested or otherwise taken into custody for any offense violation of any state statute, county resolution or city ordinance; or

(B) the person has been involved in an aircraft accident or crash resulting in property damage, personal injury or death.

(2) The law enforcement officer directing administration of the test or tests may act on personal knowledge or on the basis of the collective information available to law enforcement officers involved in the investigation or arrest.

(c) Nothing in this section shall be construed to limit the right of a law enforcement officer to conduct any search of a person's breath or other bodily substance, other than blood or urine, incident to a lawful arrest pursuant to the constitution of the United States, nor limit the admissibility at any trial or hearing of alcohol or drug concentration testing results obtained pursuant to such a search.

(d) Nothing in this section shall be construed to limit the right of a law enforcement officer to conduct or obtain a blood or urine test of a person pursuant to a warrant under K.S.A. 22-2502, and amendments thereto, the constitution of the United States or a judicially recognized exception to the search warrant requirement, nor limit the admissibility at any trial or hearing of alcohol or drug concentration testing results obtained pursuant to such a search.

(e) A law enforcement officer may direct a medical professional, as described in subsection (f), to draw one or more samples of blood from a person to determine the blood's alcohol or drug concentration if:

(1) The person has given consent and meets the requirements of subsection (b);

(2) law enforcement has obtained a search warrant authorizing the collection of blood from the person; or

(3) the person refuses or is unable to consent to, submit to and complete a test, and another judicially recognized exception to the warrant requirement applies.

(f) If a law enforcement officer is authorized to collect one or more tests of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by:

(1) A person licensed to practice medicine and surgery, licensed as a physician assistant or a person acting under the direction of any such licensed person;

(2) a registered nurse or a licensed practical nurse;

(3) any qualified medical technician, including, but not limited to, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol; or

(4) a phlebotomist.

(g) When so directed by a law enforcement officer through a written statement, the

medical professional shall withdraw the sample of blood as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized in this section to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawal of blood once presented with the written statement provided for under this subsection. The medical professional shall not require the person that is the subject of the test or tests to provide any additional consent or sign any waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable in any action alleging lack of consent or lack of informed consent. Such sample or samples shall be an independent sample and not be a portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document if provided by law enforcement.

(h) If a person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or healthcare staff during the drawing of the sample and without interfering with medical treatment.

(i) (1) If a law enforcement officer is authorized to collect one or more tests of urine, the collection of the urine sample shall be supervised by:

(A) A person licensed to practice medicine and surgery, licensed as a physician assistant or a person acting under the direction of any such licensed person;

(B) a registered nurse or a licensed practical nurse; or

(C) a law enforcement officer of the same sex as the person being tested.

(2) The collection of the urine sample shall be conducted out of the view of any person other than the person supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer.

(3) The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the weight rather than the admissibility of the evidence.

(4) If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in subsections (g) and (i) shall apply to the collection of a urine sample.

(j) No law enforcement officer who is acting in accordance with this section shall be liable in any civil or criminal proceeding involving the action.

(k) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged operation or attempted operation of an

aircraft while under the influence of alcohol or drugs, or a combination of alcohol and any drug or drugs.

(l) No test shall be suppressed because of irregularities not affecting the substantial rights of the accused in the consent or notice authorized pursuant to this section.

(m) Nothing in this section shall be construed to limit the admissibility at any trial of alcohol or drug concentration testing results obtained pursuant to a search warrant or other judicially recognized exception to the warrant requirement.

(n) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person when available.

(o) The person tested shall have a reasonable opportunity to have an additional chemical test by a physician of such person's own choosing. If the law enforcement officer refuses to permit such additional chemical test to be taken, the original test shall not be competent evidence.

(p) (1) The testing and method of testing consented to under this section shall not be considered to have been conducted for any medical care or treatment purpose. The results of such test, the person's name whose bodily substance is drawn or tested, the location of the test or procedure, the names of all health care providers and personnel who participated in the procedure or test and the date and time of the test or procedure are required by law to be provided to the requesting law enforcement officer or the law enforcement officer's designee after the requesting law enforcement officer has complied with this section.

(2) All costs of conducting any procedure or test requested by a law enforcement agency and authorized by this section, including the costs of the evidence collection kits, shall be charged to and paid by the county where the alleged offense was committed. Such county may be reimbursed such costs upon the costs being paid by the defendant as court costs assessed pursuant to K.S.A. 28-172a, and amendments thereto.

(3) The cost assessed under this section shall be the then-current medicaid rate for any such procedure or test, or both.

(4) Notwithstanding any other law to the contrary, the collection and delivery of the sample and required information to the law enforcement officer pursuant to this section shall not be subject to the physician-patient privilege or any other law that prohibits the transfer, release or disclosure of the sample or of the required information.

(q) No medical care facility, clinical laboratory, medical clinic, other medical institution, person licensed to practice medicine or surgery, person acting under the direction of any such licensed person, licensed physician assistant, registered nurse, licensed practical nurse, medical technician, paramedic, advanced emergency medical technician, phlebotomist, healthcare provider or person who participates in good faith in the obtaining, withdrawal, collection or testing of blood, breath, urine or other bodily substance at the direction of a law enforcement officer pursuant to this section, or as otherwise authorized by law, shall incur any civil, administrative or criminal liability as a result of such participation, regardless of whether or not the patient resisted or objected to the administration of the procedure or test.

(r) Sections 1 through 4, and amendments thereto, are remedial law and shall be

liberally construed to promote public health, safety and welfare.

New Sec. 3. (a) A law enforcement officer may request a person who is operating or attempting to operate an aircraft within this state to submit to a preliminary screening test of the person's breath or oral fluid, or both, if the officer has reasonable suspicion to believe the person has been operating or attempting to operate an aircraft while under the influence of alcohol or drugs, or a combination of alcohol and any drug or drugs.

(b) If the person submits to the test, the results shall be used for the purpose of assisting law enforcement officers in determining whether an arrest should be made and whether to request the tests authorized by section 2, and amendments thereto. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results shall not be admissible in any civil or criminal action concerning the operation of or attempted operation of an aircraft except to aid the court in determining a challenge to the validity of the arrest or the validity of the request to submit to a test pursuant to section 2, and amendments thereto. Following the preliminary screening test, additional tests may be requested pursuant to section 2, and amendments thereto.

(c) Any preliminary screening of a person's breath shall be conducted with a device approved pursuant to K.S.A. 65-1,107, and amendments thereto. Any preliminary screening of a person's oral fluid shall be conducted in accordance with rules and regulations, if any, approved pursuant to K.S.A. 75-712h, and amendments thereto.

New Sec. 4. As used in sections 1 through 4, and amendments thereto:

(a) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath.

(b) "Drug" includes toxic vapors as such term is defined in K.S.A. 2021 Supp. 21-5712, and amendments thereto.

(c) "Imprisonment" includes any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(d) "Law enforcement officer" means the same as in K.S.A. 2021 Supp. 21-5111, and amendments thereto, and includes any person authorized by law to make an arrest on a military reservation for an act which would constitute a violation of section 1, and amendments thereto, if committed off a military reservation in this state.

(e) "Other competent evidence" includes:

(1) Alcohol concentration tests obtained from samples taken four hours or more after the operation or attempted operation of an aircraft; and

(2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(f) "Test refusal" refers to a person's failure to submit to or complete any test of the person's blood, breath, urine or other bodily substance, other than a preliminary screening test, in accordance with section 2, and amendments thereto, and includes refusal of any such test on a military reservation.";

On page 25, in line 24, by striking "one" and inserting "two"; in line 25, by striking the first "violation" and inserting "violations";

On page 76, following line 10, by inserting:

"Sec. 20. K.S.A. 2021 Supp. 22-3437 is hereby amended to read as follows: 22-3437. (a) (1) In any hearing or trial, a report concerning forensic examinations and certificate of forensic examination executed pursuant to this section shall be admissible in evidence if the report and certificate are prepared and attested by a criminalist or other employee of the Kansas bureau of investigation, Kansas highway patrol, Johnson County sheriff's laboratory, Sedgwick County regional forensic science center, or any laboratory of the federal bureau of investigation, federal postal inspection service, federal bureau of alcohol, tobacco and firearms or federal drug enforcement administration. If the examination involves a breath test for alcohol content, the report must also be admissible pursuant to K.S.A. 8-1001, and amendments thereto, or section 2, and amendments thereto, and be conducted by a law enforcement officer or other person who is certified by the department of health and environment as a breath test operator as provided by K.S.A. 65-1,107 et seq., and amendments thereto.

(2) Upon the request of any law enforcement agency, such person as provided in paragraph (1) performing the analysis shall prepare a certificate. Such person shall sign the certificate under oath and shall include in the certificate an attestation as to the result of the analysis. The presentation of this certificate to a court by any party to a proceeding shall be evidence that all of the requirements and provisions of this section have been complied with. This certificate shall be supported by a written declaration pursuant to K.S.A. 53-601, and amendments thereto, or shall be sworn to before a notary public or other person empowered by law to take oaths and shall contain a statement establishing the following: The type of analysis performed; the result achieved; any conclusions reached based upon that result; that the subscriber is the person who performed the analysis and made the conclusions; the subscriber's training or experience to perform the analysis; the nature and condition of the equipment used; and the certification and foundation requirements for admissibility of breath test results, when appropriate. When properly executed, the certificate shall, subject to the provisions of paragraph (3) and notwithstanding any other provision of law, be admissible evidence of the results of the forensic examination of the samples or evidence submitted for analysis and the court shall take judicial notice of the signature of the person performing the analysis and of the fact that such person is that person who performed the analysis.

(3) Whenever a party intends to proffer in a criminal or civil proceeding, a certificate executed pursuant to this section, notice of an intent to proffer that certificate and the reports relating to the analysis in question, including a copy of the certificate, shall be conveyed to the opposing party or parties at least 21 days before the beginning of a hearing where the proffer will be used. An opposing party who intends to object to the admission into evidence of a certificate shall give notice of objection and the grounds for the objection within 14 days upon receiving the adversary's notice of intent to proffer the certificate. Whenever a notice of objection is filed, admissibility of the certificate shall be determined not later than two days before the beginning of the trial. A proffered certificate shall be admitted in evidence unless it appears from the notice of objection and grounds for that objection that the conclusions of the certificate, including the composition, quality or quantity of the substance submitted to the laboratory for

analysis or the alcohol content of a blood or breath sample will be contested at trial. A failure to comply with the time limitations regarding the notice of objection required by this section shall constitute a waiver of any objections to the admission of the certificate. The time limitations set forth in this section may be extended upon a showing of good cause.

(b) (1) In any hearing or trial where there is a report concerning forensic examinations from a person as provided in ~~paragraph (1)~~ of subsection (a)(1), district and municipal courts may, upon request of either party, use two-way interactive video technology, including internet-based videoconferencing, to take testimony from that person if the testimony is in relation to the report.

(2) The use of any two-way interactive video technology must be in accordance with any requirements and guidelines established by the office of judicial administration, and all proceedings at which such technology is used in a district court must be recorded verbatim by the court.

Sec. 21. K.S.A. 2021 Supp. 60-427 is hereby amended to read as follows: 60-427. (a) As used in this section:

(1) "Patient" means a person who, for the sole purpose of securing preventive, palliative, or curative treatment, or a diagnosis preliminary to such treatment, of such person's physical or mental condition, consults a physician, or submits to an examination by a physician.

(2) "Physician" means a person licensed or reasonably believed by the patient to be licensed to practice medicine or one of the healing arts as defined in K.S.A. 65-2802, and amendments thereto, in the state or jurisdiction in which the consultation or examination takes place.

(3) "Holder of the privilege" means the patient while alive and not under guardianship or conservatorship or the guardian or conservator of the patient, or the personal representative of a deceased patient.

(4) "Confidential communication between physician and patient" means such information transmitted between physician and patient, including information obtained by an examination of the patient, as is transmitted in confidence and by a means which, so far as the patient is aware, discloses the information to no third persons other than those reasonably necessary for the transmission of the information or the accomplishment of the purpose for which it is transmitted.

(b) Except as provided by subsections (c), (d), (e) and (f), a person, whether or not a party, has a privilege in a civil action or in a prosecution for a misdemeanor, other than a prosecution for a violation of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or a city ordinance or county resolution which prohibits the acts prohibited by those statutes, to refuse to disclose, and to prevent a witness from disclosing, a communication, if the person claims the privilege and the judge finds that: (1) The communication was a confidential communication between patient and physician; (2) the patient or the physician reasonably believed the communication necessary or helpful to enable the physician to make a diagnosis of the condition of the patient or to prescribe or render treatment therefor; (3) the witness (i) is the holder of the privilege, (ii) at the time of the communication was the physician or a person to whom disclosure was made because reasonably necessary for the transmission of the communication or for the accomplishment of the purpose for which it was transmitted or (iii) is any other person who obtained knowledge or possession of the communication as the result of an



intentional breach of the physician's duty of nondisclosure by the physician or the physician's agent or servant; and (4) the claimant is the holder of the privilege or a person authorized to claim the privilege for the holder of the privilege.

(c) There is no privilege under this section as to any relevant communication between the patient and the patient's physician: (1) Upon an issue of the patient's condition in an action to commit the patient or otherwise place the patient under the control of another or others because of alleged incapacity or mental illness, in an action in which the patient seeks to establish the patient's competence or in an action to recover damages on account of conduct of the patient which constitutes a criminal offense other than a misdemeanor; (2) upon an issue as to the validity of a document as a will of the patient; or (3) upon an issue between parties claiming by testate or intestate succession from a deceased patient.

(d) There is no privilege under this section in an action in which the condition of the patient is an element or factor of the claim or defense of the patient or of any party claiming through or under the patient or claiming as a beneficiary of the patient through a contract to which the patient is or was a party.

(e) There is no privilege under this section: (1) As to blood drawn at the request of a law enforcement officer pursuant to K.S.A. 8-1001, and amendments thereto, or section 2, and amendments thereto; and (2) as to information which the physician or the patient is required to report to a public official or as to information required to be recorded in a public office, unless the statute requiring the report or record specifically provides that the information shall not be disclosed.

(f) No person has a privilege under this section if the judge finds that sufficient evidence, aside from the communication has been introduced to warrant a finding that the services of the physician were sought or obtained to enable or aid anyone to commit or to plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or a tort.

(g) A privilege under this section as to a communication is terminated if the judge finds that any person while a holder of the privilege has caused the physician or any agent or servant of the physician to testify in any action to any matter of which the physician or the physician's agent or servant gained knowledge through the communication.

(h) Providing false information to a physician for the purpose of obtaining a prescription-only drug shall not be a confidential communication between physician and patient and no person shall have a privilege in any prosecution for unlawfully obtaining or distributing a prescription-only drug under K.S.A. 2021 Supp. 21-5708, and amendments thereto.

Sec. 22. K.S.A. 65-1,107 is hereby amended to read as follows: 65-1,107. The secretary of health and environment may adopt rules and regulations establishing:

(a) The procedures, testing protocols and qualifications of authorized personnel, instruments and methods used in laboratories performing tests for the presence of controlled substances included in schedule I or II of the uniform controlled substances act or metabolites thereof;

(b) the procedures, testing protocols, qualifications of personnel and standards of performance in the testing of human breath for law enforcement purposes, including procedures for the periodic inspection of apparatus, equipment and devices, other than preliminary screening devices, approved by the secretary of health and environment for

the testing of human breath for law enforcement purposes;

(c) the requirements for the training, certification and periodic testing of persons who operate apparatus, equipment or devices, other than preliminary screening devices, for the testing of human breath for law enforcement purposes;

(d) criteria for preliminary screening devices for testing of breath for law enforcement purposes, based on health and performance considerations; and

(e) a list of preliminary screening devices which are approved for testing of breath for law enforcement purposes and which law enforcement agencies may purchase and train officers to use as aids in determining:

(1) Probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto, or section 3, and amendments thereto; and

(2) violations of K.S.A. 41-727, and amendments thereto.

Sec. 23. K.S.A. 75-712h is hereby amended to read as follows: 75-712h. The director of the Kansas bureau of investigation is authorized to adopt rules and regulations establishing:

(a) Criteria for preliminary screening devices for testing of oral fluid for law enforcement purposes, based on health and performance considerations; and

(b) a list of preliminary screening devices that are approved for testing of oral fluid for law enforcement purposes and that law enforcement agencies may purchase and train officers to use as aids in determining probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto, or section 3, and amendments thereto.";

Also on page 76, in line 11, after the first "K.S.A." by inserting "3-1001, 3-1002, 3-1003, 3-1004, 3-1005,"; also in line 11, after "8-1016" by inserting ", 65-1,107 and 75-712h"; in line 13, by striking "and" and inserting a comma; also in line 13, after "22-2908" by inserting ", 22-3437 and 60-427";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the first "driving" and inserting "conveyances; relating to aircraft; operating an aircraft under the influence; prescribing criminal and administrative penalties; providing for testing of blood, breath, urine or other bodily substances and preliminary screening tests of breath or oral fluid"; in line 28, after "8-1016" by inserting ", 65-1,107 and 75-712h"; in line 30, by striking the first "and" and inserting a comma; also in line 30, after "22-2908" by inserting ", 22-3437 and 60-427"; in line 31, after "sections" by inserting "; also repealing K.S.A. 3-1001, 3-1002, 3-1003, 3-1004 and 3-1005";

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

KELLIE WARREN

RICK WILBORN

DAVID HALEY

*Conferees on part of Senate*

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Ralph, the conference committee report on **HB 2377** was adopted. On roll call, the vote was: Yeas 101; Nays 12; Present but not voting: 0; Absent or not

voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Blex, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Featherston, Finch, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Meyer, Miller, Minnix, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Bergquist, Burriss, Fairchild, Garber, Jacobs, T. Johnson, Lee-Hahn, Murphy, Rhiley, Sanders, Seiwert, Waggoner.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2361** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2361, as follows:

On page 3, following line 20, by inserting:

"Sec. 2. K.S.A. 2021 Supp. 20-3127 is hereby amended to read as follows: 20-3127. (a) Except as provided further, all fees collected pursuant to K.S.A. 20-3126, and amendments thereto, shall be used to establish and maintain the county law library. A board of trustees, appointed as provided in this section, shall have the management and control of such library and shall use the fees paid for registration, and all other sums, books, or library materials or equipment donated or provided by law, for the purpose of establishing and maintaining such library in the county courthouse or other suitable place to be provided and maintained by the county commissioners of such county, including acquiring and maintaining materials and technology that may, at the discretion of the board of trustees, be loaned to library users for use outside the premises of the library. The district judge or district judges of the district court, members of the bar who have registered and paid the fee provided for in K.S.A. 20-3126, and amendments thereto, judges of all other courts in the county and county officials shall have the right to use the library in accordance with the rules and regulations established by the board of trustees. The board of trustees shall develop guidelines to provide members of the public reasonable access to the law library.

(b) (1) The board of trustees of any law library established or governed under this act, ~~and amendments thereto~~, in Johnson ~~and~~ Sedgwick ~~and~~ Douglas counties shall consist of the following five members:

(A) ~~Two of which shall be judges of the district court, appointed by a consensus of all judges of the district court in those counties, such county;~~ and

(B) three of which shall be members of the Johnson or Sedgwick county such county's bar association, appointed by selection of the county bar association pursuant to the Johnson or Sedgwick county bar association's bylaws for two-year terms.

(2) The board of trustees of the law library in all other counties shall consist of the district judge or judges of the district court presiding in such county and not less than two attorneys who shall be elected for two-year terms by a majority of the attorneys residing in the county.

(c) The clerk of the district court of the county shall be treasurer of the library and shall safely keep the funds of such library and disburse them as the trustees shall direct. The clerk shall be liable on an official bond for any failure, refusal or neglect in performing such duties.

(d) The board of county commissioners of any county designated an urban area pursuant to K.S.A. 19-2654, and amendments thereto, wherein an election has been held to come under the provisions of this act is hereby authorized to appoint, by and with the advice and consent of the board of trustees of the law library of such county, a librarian, who shall act as custodian of the law library of such county and shall assist in the performance of the clerk's duties as treasurer thereof, and such assistants as are necessary to perform the duties of administering the law library. The librarian and any assistants so appointed shall be employees of the county under the supervision of the board of county commissioners, or the board's designated official, with the advice and recommendations of the board of trustees of the law library, and shall be subject to the personnel policies and procedures established by the board of county commissioners for all employees of the county. The librarian and any assistants shall receive as compensation such salaries and benefits as established by the law library board of trustees, subject to the approval of the board of county commissioners, which shall be payable from the general fund of the county, through the county payroll process, from funds budgeted and made available by the law library board of trustees for that purpose through the collection of fees or other funds authorized by this act.

(e) All attorneys registered under this act shall not be liable to pay any occupational tax or city license fees levied under the laws of this state by any municipality.

(f) (1) Except as provided by subsection (f)(2), the board of trustees of a county law library established pursuant to this section may authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto, for the purpose of facilitating and enhancing functions of the district court of the county. No judge shall participate in any decision made by the board of trustees of a county law library pursuant to this paragraph to authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126, and amendments thereto.

(2) The provisions of subsection (f)(1) shall not apply to the board of trustees of any law library established in Johnson and Sedgwick counties.";

On page 22, in line 14, after "Supp." by inserting "20-3127,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "relating to law libraries; removing the requirement that all district court judges serve on the board of trustees of the Douglas county law library;" ; in line 7, after "Supp." by inserting "20-3127,";

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

KELLIE WARREN

RICK WILBORN

DAVID HALEY

*Conferees on part of Senate*

STEPHEN OWENS

ERIC SMITH

DENNIS "BOOG" HIGHBURGER

*Conferees on part of House*

On motion of Rep. Owens, the conference committee report on **S Sub for HB 2361** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delpdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

#### **CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 58** submits the following report:

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

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 27; following line 27, by inserting:

"Section 1. (a) The provisions of this section shall be known and may be cited as the parents' bill of rights.

(b) The legislature finds that a quality education is central to a child's development and long-term success in life and that a parent has a right to direct the upbringing, education and care of the parent's child. The legislature further finds that a parent shall have the right to play a central role in a child's education, to obtain critical information

about what is being taught or provided in the classroom and to take action when a parent feels that the quality or content of a child's education does not align with the values and expectations the parent expects and deserves.

(c) Every parent of a child in this state shall have a right to direct the upbringing, education, care and mental health of the parent's child. The following parental rights are reserved to each parent of a child in this state:

- (1) The right to direct the education and care of such child;
- (2) the right to direct the upbringing and the moral or religious training of such child;
- (3) the right to request, access and inspect all written and electronic records maintained by a school relating to such child;
- (4) the right to be informed of and inspect the curriculum, instructional materials and any other materials that are made available or taught to such child in the child's school;
- (5) the right to attend publicly designated meetings of the local school board and the right to question and address school officials during designated public comment periods or through letters, electronic communications or in-person meetings;
- (6) the right to make healthcare and medical decisions for such child;
- (7) the right to expect that such child, and each teacher and educator of such child, shall not be compelled to affirm, believe, profess or adhere to any idea that violates the civil rights act of 1964;
- (8) the right to expect that no course of instruction or unit of study shall direct or otherwise compel the child to personally affirm, adopt or adhere to any idea that violates the civil rights act of 1964;
- (9) the right to expect that the child's school shall not contract for teacher professional development with providers that promote racially essentialist doctrines or practices that have been held to violate the civil rights act of 1964;
- (10) the right to expect that each teacher and educator of such child will endeavor to present facts without distortion, bias or personal prejudice;
- (11) the right to expect that each teacher and educator of such child shall work to eliminate coercion that forces teachers and educators to support actions and ideologies that violate individual professional integrity; and
- (12) the right to assert any other inalienable or constitutional right that is reserved to the parent and the child pursuant to state or federal law.

(d) The board of education of each school district shall develop and adopt policies to guarantee a parent's right to be involved in a child's education. Such policies shall be developed in consultation with parents, teachers and school administrators and shall include policies and procedures for a parent to:

- (1) Be informed of and have the ability to inspect any materials, activities, curriculum, syllabi, surveys, questionnaires, books, magazines, handouts, professional development and training materials and any other materials or activities that are

provided to the parent's child;

(2) inspect and review any educational or health records maintained by the school that pertain to the parent's child;

(3) object to any learning material or activity on the basis that such material or activity harms the child or impairs the parent's firmly held beliefs, values or principles and withdraw such child from the activity, class or program in which the material is used; and

(4) challenge the material or educational benefit of any book, magazine or any other material available to students in the school library such that a successful challenge results in the removal of the book, magazine or material from the school.

(e) As used in this section, "parent" means a parent, guardian or custodian or any other person who has authority to act on behalf of a child.";

Also on page 4, in line 29, by striking "Kansas register" and inserting "statute book";  
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "education; relating to schools and school districts; establishing the parents' bill of rights";

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

KRISTEY WILLIAMS

KYLE HOFFMAN

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Williams, the conference committee report on **SB 58** was adopted.

On roll call, the vote was: Yeas 67; Nays 46; Present but not voting: 0; Absent or not voting: 12.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Burris, Carlson, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Fairchild, Finch, Francis, French, Garber, Hawkins, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Minnix, Murphy, Neelly, Newland, Owens, Penn, Proctor, Proehl, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Burroughs, Byers, Carlin, Carmichael, Clayton, Clifford, Curtis, Ellis, Featherston, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Long, Meyer, Miller, Neighbor, Ohaebosim, Orr, Osman, Ousley, Poskin, Probst, Rahjes, Ralph, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Smith, A., Stogsdill, Thompson, Vaughn, Weigel, Wheeler, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

## EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes in the strongest support of **SB 58**. In House K-12 Committee, our amended language unequivocally declared throughout that parents have not “a” but **THE** definitive right “to direct the upbringing, education, care and mental health of the parent's child.” To raise our children, it takes their responsible parents, (not provoking our) **children to wrath**, but bring them up in the training and admonition of the Lord.” The onus and responsibility of their upbringing fall squarely upon the shoulders of their parents to whom their care, training nurturing, provision, and very lives are entrusted. Our kids do not belong to the State, educrats, teachers' unions, or the Village. Our kids belong to their parents. – PATRICK PENN, MICHAEL MURPHY

MR. SPEAKER, I vote NO on **CCR for SB 58**. If you look at the first page of the bill explainer, final bullet point, you will see that it reads: Challenge the material or educational benefit of any book, magazine, or other material available to students in the school library, the successful result of which would lead to the removal of the item from the school. That removes the material from all children, not just one. I vote NO. – STEPHANIE CLAYTON

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 160** submits the following report:

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

On page 1, by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 31; following line 31, by inserting:

"Section 1. The provisions of sections 1 through 5, and amendments thereto, shall be known and may be cited as the fairness in women's sports act.

Sec. 2. (a) Interscholastic, intercollegiate, intramural or club athletic teams or sports that are sponsored by a public elementary or secondary school, a postsecondary educational institution, as such term is defined in K.S.A. 74-3201b, and amendments thereto, or any school or other postsecondary educational institution whose students or teams compete against a public school or postsecondary educational institution shall be expressly designated as one of the following based on biological sex:

- (1) Males, men or boys;
- (2) females, women or girls; or
- (3) coed or mixed.

(b) Athletic teams or sports designated for females, women or girls shall not be open to students of the male sex.

(c) (1) The Kansas state high school activities association shall adopt rules and regulations for its member schools for the implementation of this section.

(2) The state board of regents and the governing body for each municipal university, community college and technical college shall adopt rules and regulations for the postsecondary educational institutions governed by each such entity, respectively, for the implementation of this section.



Sec. 3. No governmental entity, licensing or accrediting organization or athletic association or organization shall entertain a complaint, open an investigation or take any other adverse action against a school or postsecondary educational institution for maintaining separate interscholastic, intercollegiate, intramural or club athletic teams or sports for students of the female sex.

Sec. 4. (a) Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of section 2, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the school or postsecondary educational institution.

(b) Any student who is subject to retaliation or other adverse action by a school, postsecondary educational institution or athletic association or organization as a result of reporting a violation of section 2, and amendments thereto, to an employee or representative of such school, postsecondary educational institution or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary educational institutions in this state, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the school, institution or athletic association or organization.

(c) Any school or postsecondary educational institution that suffers any direct or indirect harm as a result of a violation of section 2 or 3, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the governmental entity, licensing or accrediting organization or athletic association or organization.

(d) All civil actions shall be initiated within two years after the harm occurred. Persons or organizations who prevail on a claim brought pursuant to this section shall be entitled to monetary damages, including for any psychological, emotional and physical harm suffered, reasonable attorney fees and costs and any other appropriate relief.

Sec. 5. The provisions of sections 1 through 4, and amendments thereto, are hereby declared to be severable. If any provision of sections 1 through 4, and amendments thereto, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of sections 1 through 4, and amendments thereto, that can be given effect without the invalid provision or application.";

Also on page 2, in line 33, by striking "Kansas register" and inserting "statute book";  
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "education; relating to student athletes; enacting the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations";

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

KRISTEY WILLIAMS

KYLE HOFFMAN

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Wasinger, the conference committee report on **SB 160** was adopted.

On roll call, the vote was: Yeas 74; Nays 39; Present but not voting: 0; Absent or not voting: 12.

Yeas: Anderson, Arnberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Burris, Carlson, W. Carpenter, Clark, Clifford, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Finch, Francis, French, Garber, Hawkins, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neelly, Newland, Orr, Owens, Penn, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Baker, Ballard, Burroughs, Byers, Carlin, Carmichael, Clayton, Curtis, Featherston, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Meyer, Miller, Neighbor, Ohaebosim, Osman, Ousley, Poskin, Probst, Ralph, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Stogsdill, Thompson, Vaughn, Weigel, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote “Yes” in strongest support of **SB 160**. As the grandson, son, and husband of a woman – and as the father of two young women – this man proudly stands to protect our women and our women athletes. As the father of two young girls, I want them to reach their fullest potential, compete on the fields of friendly strife with the utmost integrity, and achieve the victories for which they work hard and deserve. Let’s neither erase biological girls/women by replacing them with biological boys/men, erase the opportunities they can achieve on any field or level, nor place them in unfair competition with biological boys/men. Let’s create and safeguard Fairness in Women’s Sports – PATRICK PENN

MR. SPEAKER: The State of Kansas should NEVER condone bullying of our most vulnerable, marginalized communities. **SB 160**’s veiled purpose is to bully transgender girls back into the closet. Their mental health is considered collateral damage. The cowardice of leaving enforcement to Kansas State High School Athletics Association is appalling. KSHSAA will have no recourse other than creating policies involving intrusive, genital inspections. KSHSAA will become a legislative surrogate to impose our will on other people’s children. It doesn’t meet the three criteria typically used in Human Right’s Legislation – It isn’t reasonable necessary or proportional. Trans girls ARE girls. I vote NO! STEPHANIE BYERS, STEPHANIE CLAYTON, JO ELLA HOYE, SYDNEY CARLIN, BARBARA BALLARD, SYDNEY CARLIN, RUI XU, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, CINDY NEIGHBOR, SUSAN RUIZ, MARI-LYNN POSKIN, TOM SAWYER, JERRY STOGSDILL,

HEATHER MEYER, VIRGIL WEIGEL, VIC MILLER, KC OHAEBOSIM, DAN OSMAN, JOHN CARMICHAEL, JOHN ALCALA, BRANDON WOODARD, PAM CURTIS, DENNIS "BOOG" HIGHBERGER, CHRISTINA HASWOOD, JARROD OUSLEY, TOM BURROUGHS, LINDSAY VAUGHN, KATHY WOLFE MOORE

MR. SPEAKER: I vote YES on **SB 160**-- in STRONG support of protecting womens' sports. In my earlier speech, I misspoke of my intended position. It's been a long day! The issue is personal to me and I refuse to be bullied into feeling ashamed of how God made me or my daughter. I'm not a mere pronoun or political talking point. I'm not a bleeder or an accident. History will show, now is the time to protect our daughters from the prostitution of our biology in the name of faster swim times or longer long jumps. – TATUM LEE

MR. SPEAKER: I vote yes on **SB 160**. Yesterday we heard from eight female legislators sharing Women's History Month facts, and I found it truly inspiring. Women have had to work hard for where we are today, and I don't want to move backwards and lose those accomplishments. I proudly stand up for those female athletes and ask that you do the same. – TORY MARIE ARNBERGER-BLEW

On motion of Rep. Hawkins, the House recessed until 8:15 p.m.

---

#### EVENING SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for Sub SB 267**.

---

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2239** submits the following report:

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

On page 1, by striking all in lines 22 through 34;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 19;

On page 9, in line 41, by striking the second "19" and inserting "1"; also in line 41, by striking "24" and inserting "6";

On page 10, in line 5, by striking "19" and inserting "1"; also in line 5, by striking "24" and inserting "6"; in line 7, by striking "19" and inserting "1"; also in line 7, by striking "24" and inserting "6"; in line 13, by striking "21" and inserting "3"; in line 40, by striking "21" and inserting "3";

On page 11, in line 15, by striking "12" and inserting "3"; in line 21, by striking "21" and inserting "3"; in line 26, by striking the first "21" and inserting "3"; also in line 26, by striking the second "21" and inserting "3"; in line 32, by striking "21" and inserting "3";

On page 12, in line 7, by striking "21" and inserting "3"; in line 17, by striking "21"

and inserting "3";

On page 13, following line 15, by inserting:

"New Sec. 8. (a) (1) The following described property, to the extent herein specified, is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas: Any antique utility trailer registered pursuant to K.S.A. 8-1,119, and amendments thereto, used exclusively for personal use and not for the production of income.

(2) The term "antique utility trailer" includes only those trailers:

(A) 35 years or older as determined by the date of manufacture; and

(B) having an empty weight of 2,000 pounds or less and a gross weight of not more than 8,000 pounds.

(b) The provisions of this section shall apply to all taxable years commencing after December 31, 2022.

New Sec. 9. (a) The value for property tax purposes of any tangible personal property classified for property tax purposes within subclass (6) of class 2 of section 1 of article 11 of the constitution of the state of Kansas that is acquired or sold after January 1 and prior to September 1 of any taxable year shall be equal to the value determined therefor pursuant to K.S.A. 79-1456, and amendments thereto, multiplied by: (1) In the case of a sale, a fraction, the numerator of which is the number of months, or major portion thereof, such property was owned by the record owner thereof during the taxable year in which such property was sold and the denominator of which is 12; and (2) in the case of an acquisition, a fraction, the numerator of which is the number of months, or major portion thereof, remaining in the taxable year after the date of acquisition by the record owner thereof and the denominator of which is 12.

(b) Notice of the acquisition or sale of any such property shall be provided by the record owner thereof to the appropriate county appraiser on or before December 20 of the year of such acquisition or sale. Upon receipt of such notice, and after computation of the value of any such property in accordance with the provision of subsection (a), a notification or revised notification of value shall be mailed to the taxpayer.

(c) Except as provided in subsection (a), tangible personal property classified for property tax purposes within subclass (6) of class 2 of section 1 of article 11 of the constitution of the state of Kansas acquired on or after September 1 of a taxable year shall not be subject to assessment and taxation for such year.

(d) The provisions of this section shall apply to all taxable years commencing after December 31, 2022.

New Sec. 10. As used in sections 10 through 13, and amendments thereto:

(a) "Aerospace" means relating to vehicles or objects for the purpose of suborbital, orbital or space flight, whether for private or public, or civil or defense-related purposes.

(b) "Aviation" means relating to vehicles or objects, except parachutes, for the purpose of controlled flight through the air, regardless of how propelled or controlled, or whether manned or unmanned, whether for private or public, or civil or defense-

related purposes.

(c) "Aviation sector" means a private or public organization engaged in the manufacture of aviation or aerospace hardware or software, aviation or aerospace maintenance, aviation or aerospace repair and overhaul, supply of parts to the aviation or aerospace industry, provision of services and support relating to the aviation or aerospace industry, research and development of aviation or aerospace technology and systems, and the education and training of aviation or aerospace personnel.

(d) "Compensation" means payments in the form of contract labor for which the payor is required to provide a federal tax form 1099 to the person paid, wages subject to withholding tax paid to a part-time employee or full-time employee, or salary or other remuneration. "Compensation" does not include employer-provided retirement, medical or healthcare benefits, reimbursement for travel, meals, lodging or any other expense.

(e) "Institution" means a state educational institution, municipal university, institute of technology, community college or technical college, as those terms are defined in K.S.A. 74-3201b, and amendments thereto, or an educational institution, municipal university, institute of technology, community college or technical college within the meaning of those terms as defined in K.S.A. 74-3201b, and amendments thereto, but located in or established under the laws of another state or any other public or private college or university that is accredited by a regional accrediting body, the engineering accreditation commission of the accreditation board for engineering and technology (ABET) or the federal aviation administration.

(f) "Qualified employee" means any person newly employed on a full-time basis by or first contracting with a qualified employer on a full-time basis on or after January 1, 2022, who has been awarded an undergraduate or graduate degree, or a technical degree or certificate from a qualified program by an institution.

(g) "Qualified employer" means a sole proprietorship, general partnership, limited partnership, limited liability company, corporation, other legally recognized business entity or public entity whose principal business activity involves the aviation sector.

(h) "Qualified program" means: (1) A program that has been accredited by the engineering accreditation commission of the accreditation board for engineering and technology (ABET), the federal aviation administration or a regional accrediting body and that awards an undergraduate or graduate degree; or (2) a program within the meaning of an associate of applied science degree program or career technical education program, within the meaning of those programs as defined in K.S.A. 74-32,407, and amendments thereto, whether a state or out-of-state program that results in the awarding of a degree or certificate that prepares the graduate for gainful employment with a qualified employer.

(i) "Tuition" means the amount paid for enrollment, program specific course fees and instruction in a qualified program that includes both amounts paid during participation in a qualified program or tuition debt upon completion of a qualified program. "Tuition" does not include the cost of books, fees, other than program specific course fees, or room and board.

New Sec. 11. (a) For taxable years beginning after December 31, 2021, a taxpayer who is a qualified employer subject to the tax imposed under the provisions of the

Kansas income tax act shall be allowed a credit against the tax for tuition reimbursed to a qualified employee.

(b) The credit may be claimed only if the qualified employee has been awarded an undergraduate or graduate degree, or technical degree or certificate from a qualified program within one year prior to or following the commencement of employment with a qualified employer and may be claimed each year thereafter that the qualified employee remains employed up to the fourth year of employment.

(c) The credit shall be in an amount equal to 50% of the tuition reimbursed during the taxable year for which the credit is claimed to a qualified employee, except that in no event shall the credit exceed 50% of the average annual amount paid by a qualified employee for enrollment and instruction in a qualified program, as determined by the secretary of revenue.

(d) The credit shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. The credit shall not be refundable and may not be carried forward.

New Sec. 12. (a) For taxable years beginning after December 31, 2021, a taxpayer who is a qualified employer subject to the tax imposed under the provisions of the Kansas income tax act shall be allowed a credit against the tax for compensation paid during the taxable year to a qualified employee in the first through fifth consecutive years of employment. Except as otherwise provided, the credit shall be in an amount equal to 10% of the compensation paid.

(b) The credit shall not exceed \$15,000 annually for each qualified employee.

(c) The credit shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. The credit shall not be refundable and may not be carried forward.

(d) No credit shall be claimed for compensation paid to a qualified employee after the fifth year of employment of the qualified employee.

New Sec. 13. (a) For taxable years beginning after December 31, 2021, a taxpayer who becomes a qualified employee during the taxable year shall be allowed a credit against the tax imposed under the provisions of the Kansas income tax act in an amount equal to \$5,000. The credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the taxpayer is or has been a qualified employee and may be claimed each year the taxpayer achieves the status of a qualified employee for the four taxable years succeeding the taxable year in which the credit was first allowed.

(b) If the amount of the credit allowed a qualified employee is greater than the qualified employee's income tax liability for the taxable year in which the credit is allowed, the amount of the credit which exceeds the tax liability may be carried over for deduction from the qualified employee's income tax liability in the next succeeding taxable year or years, except that the tax credit may not be carried over for deduction after the fourth taxable year succeeding the taxable year in which the credit was first allowed.

New Sec. 14. (a) The secretary of revenue may adopt rules and regulations necessary or convenient for the implementation and administration of sections 10

through 13, and amendments thereto.

(b) The secretary of revenue shall annually submit a written report to the house committee on appropriations and to the senate committee on ways and means beginning with the 2023 legislative session. The report shall contain information regarding the cost and effectiveness of the tax credit program described in sections 10 through 13, and amendments thereto. The secretary also may include in the report any recommendations for changes to law necessary to implement sections 10 through 13, and amendments thereto.

New Sec. 15. No new credits shall be issued or may be earned under the provisions of sections 10 through 13, and amendments thereto, after December 31, 2026.

New Sec. 16. For tax year 2022, and all tax years thereafter, there shall be allowed a credit against the tax liability of a qualified taxpayer imposed under the Kansas income tax act in an amount equal to the expenditures made by the taxpayer for school and classroom supplies during the taxable year. The amount of the credit allowed each taxable year under this section shall not exceed \$250. As used in this section, a "qualified taxpayer" means an individual who is a Kansas resident and is employed as a public or private school teacher.

New Sec. 17. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is \$50,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is \$350,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this

subsection shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.

New Sec. 18. (a) For taxable years 2022 through 2031, there shall be allowed a credit against the tax liability imposed under the Kansas income tax act in an amount equal to 50% of an eligible taxpayer's qualified railroad track maintenance expenditures paid or incurred during the taxable year.

(b) The amount of the credit allowed each taxable year under this section shall not exceed the product of \$5,000 and the number of miles of railroad track owned or leased within the state of Kansas by the eligible taxpayer as of the close of the taxable year. For rail siding located on or adjacent to a class II or class III railroad in the state of Kansas, the amount of the credit allowed for each taxable year under this section shall not exceed \$5,000 per rail siding owned or leased within the state of Kansas by the eligible taxpayer as of the close of the taxable year. A mile of railroad track may be taken into account only once in each taxable year. The total amount of credits allowed under this section for each taxable year shall not exceed \$8,720,000.

(c) The credits allowed pursuant to this section that are not used by the eligible taxpayer are transferable by written agreement from the eligible taxpayer to any eligible customer or eligible vendor at any time during the five years immediately following the taxable year for which the credits were allowed. The eligible taxpayer originally allowed the credit and the subsequent transferee must jointly file a copy of the written transfer agreement with the Kansas department of revenue within 30 days of the transfer. The written agreement must contain the name, address and taxpayer identification number of the parties to the transfer, the amount of unused credit being transferred, the taxable year the credit was originally allowed to the eligible taxpayer and the taxable year or years for which the credit may be claimed. The eligible taxpayer and subsequent transferee shall also provide any information pertaining to the transfer as may be required by the secretary of revenue to administer and carry out the provisions of this section.

(d) Any unused credit amounts may be carried forward for up to five taxable years immediately following the taxable year for which the credits were allowed. The credit shall not be refundable.

(e) As used in this section:

(1) (A) "Eligible customer" means a business that:

(i) Uses class II or class III short line railroads or railroad-related property, facilities



or structures located wholly or partly within the state of Kansas to directly or indirectly transport property, commodities or goods;

- (ii) is served by a class II or class III short line railroad; or
- (iii) stores railcars on the class II or class III short line railroad.

(B) "Eligible customer" does not include a class I railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022.

(2) "Eligible taxpayer" means:

(A) Any railroad subject to the Kansas income tax act that is classified by the United States surface transportation board as a class II or class III railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022; or

(B) any owner or lessee of rail siding located on or adjacent to a class II or class III railroad in the state of Kansas.

(3) (A) "Eligible vendor" means a person who provides railroad-related services directly to an eligible taxpayer. "Railroad-related services" includes, but is not limited to: Transport of freight by rail; loading and unloading of freight transported by rail; railroad bridge services; railroad track construction; provision of railroad track material or equipment; locomotive or freight train car leasing or rental; maintenance of a railroad's right-of-way, including vegetation control; and freight train car repair, rehabilitation or remanufacturing repair services.

(B) "Eligible vendor" does not include a class I railroad, as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2022.

(4) (A) "Qualified railroad track maintenance expenditures" means gross expenditures for maintenance, reconstruction or replacement of railroad track, including roadbed, bridges, industrial leads and side track, and related track structures to the extent the expenditures are on track located in the state of Kansas and the track was owned or leased by an eligible taxpayer as of January 1, 2022.

(B) "Qualified railroad track maintenance expenditures" does not include expenditures used to generate a federal tax credit or expenditures funded by a state or federal grant.

(f) The secretary of revenue shall annually certify the tax credit amount allowed for each eligible taxpayer. The secretary of revenue may adopt rules and regulations necessary to administer the provisions of this section.

(g) The secretary of transportation may adopt rules and regulations to permit verification of the eligibility of an eligible taxpayer's expenditures for purposes of the credit.

New Sec. 19. The result of an election that was held on November 2, 2021, for the approval of levying a city retailers' sales tax of 0.5% for the purpose of providing an adequate level of public services to be levied by the city of Latham, in Butler county, in accordance with K.S.A. 12-187, and amendments thereto, and notice of which was first published 20 days prior to the election, instead of 21 days prior to the election, is hereby validated. The city of Latham may levy the tax in the amount and for the purpose approved by the voters at the election, and the department of revenue shall administer

and collect such tax as provided in K.S.A. 12-189, and amendments thereto.

New Sec. 20. (a) Sections 20 through 27, and amendments thereto, shall be known and may be cited as the Gage park improvement authority act.

(b) The powers conferred by this act are for public uses, public recreation and economic development purposes or purposes for which public moneys may be expended.

(c) The powers granted pursuant to this act shall be in addition to any other powers provided by law.

New Sec. 21. As used in sections 20 through 27, and amendments thereto:

(a) "Act" means the Gage park improvement authority act, sections 20 through 27, and amendments thereto.

(b) "Authority" means the Gage park improvement authority established by this act.

(c) "Board," "county clerk" and "county treasurer" mean, respectively, the board of county commissioners, the county clerk and the county treasurer of Shawnee county.

(d) "County" means Shawnee county.

(e) "Eligible recreational facilities" means:

(1) Gage park and all existing and future Gage park facilities, including, but not limited to, the mini train, carousel and Blaisdell aquatic center;

(2) the Topeka zoo and conservation center and all existing and future Topeka zoo facilities; and

(3) the Kansas children's discovery center and all existing and future Kansas children's discovery center facilities.

(f) "Gage park" means Gage park in the city of Topeka in Shawnee county.

(g) "Gage park improvement authority sales tax" means the sales tax authorized by this act.

New Sec. 22. (a) (1) Upon the approval of the electors as provided by this act, the board of county commissioners of Shawnee county may authorize the imposition of a sales tax on all retail sales made within Shawnee county for the sole purpose of funding the acquisition, construction, improvement, equipping, operation, support, maintenance and development of the eligible recreational facilities within the county and the creation of the Gage park improvement authority to administer the proceeds of the sales tax for such purposes. The sales tax may be imposed in increments of 0.05%, except that such sales tax imposed shall not be less than 0.2% and shall not exceed 0.5%.

(2) The board of county commissioners shall determine a time for a hearing upon the question of whether there shall be the creation of a Gage park improvement authority and the imposition of a sales tax. The county clerk shall give notice of the hearing for three consecutive weeks on the county website and in a newspaper of general circulation within the county. The last publication of such notice shall be at least five days before the day of the hearing. The notice shall include a statement that the hearing is to consider the creation of a Gage park improvement authority and the

imposition of a sales tax as authorized by this act. Such notice shall also provide the rate of the sales tax proposed and information that a hearing will be held by the board, including the day and the hour of the hearing and that all persons interested may appear and be heard at the hearing before the board.

(3) If, after the hearing, the board of county commissioners determines that the interests of the people of the county will be advanced by the creation of the Gage park improvement authority and the imposition of the sales tax, the board shall adopt a resolution proposing the creation of the authority and the imposition of the sales tax at the rate determined by the board for submission to the electors of the county as provided by subsection (c). The resolution shall become effective upon adoption by a majority of the electors of the county.

(b) A petition requesting the creation of the Gage park improvement authority and the imposition of the sales tax described by subsection (a)(1) within the county may be presented to the board of county commissioners. The petition shall be signed by not less than the number of qualified electors of Shawnee county equal to 5% of the electors of the county who voted at the last preceding regular county election. The petition shall be filed with the Shawnee county election office at least 60 days prior to the date of an election in an even-numbered year. Upon receipt of the petition with the required number of signatures of qualified electors, the board shall cause an election to be held as provided by subsection (c). The petition shall become effective upon submission to and adoption by a majority of the electors of the county.

(c) (1) If, at the conclusion of a public hearing, the board of county commissioners adopts a resolution as provided by subsection (a), or the board is presented with a petition as provided by subsection (b), the board shall direct the county clerk to submit a proposition to create the Gage park improvement authority and impose the sales tax as described by subsection (a)(1) to the qualified electors within the county. Such election shall be held in an even-numbered year. Notice of such election shall be published on the county website and at least once per week for two consecutive weeks in the official county newspaper. The second notice shall be published at least seven days prior to the date of the election. Any such election shall be called and held at any general election, as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. In lieu thereof, such election may be called and held in the manner provided by K.S.A. 25-431 et seq., and amendments thereto.

(2) The proposition presented to the electors shall be in substantially the following form:

"Shall a Gage Park Improvement Authority be created and supported through the levy of a \_\_\_\_\_ (insert rate, not to be less than 0.2% or more than 0.5%) countywide sales tax to benefit Gage Park, the Topeka Zoo and Kansas Children's Discovery Center?"

The county board of commissioners may place additional language on the ballot to describe the use or allocation of the funds in a manner consistent with this act.

(d) If the proposition is approved by a majority of the voters of the county voting at such election, the Gage park improvement authority shall be created and the sales tax as described in subsection (a)(1) shall be imposed by the board of county commissioners at

the rate approved by the electors. The sales tax shall be collected and distributed as provided by section 23, and amendments thereto. The sales tax shall be in effect as of the first day of the year following the election. The board shall proceed with the performance of all things necessary and incidental to the establishment of the authority. The members shall be appointed and the authority shall hold the first meeting before the first day of the year following the election, as provided in section 25, and amendments thereto.

(e) If the majority of the electors of the county reject the proposition, any subsequent resolution by the board of county commissioners adopted pursuant to subsection (a) or a petition presented to the board pursuant to subsection (b) may be resubmitted to the electors after one year from the date of the last election on any such proposition.

(f) The sales tax, or portion thereof, levied pursuant to the Gage park improvement authority act shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

New Sec. 23. (a) If an election is held and the proposition is approved by a majority of the voters of the county voting at such election as provided in section 22 or 24, and amendments thereto, the board of county commissioners, by resolution, shall impose a Gage park improvement authority sales tax on the selling of tangible personal property at retail or the rendering or furnishing of services that are taxable pursuant to the provisions of the Kansas retailers' sales tax act within the county for the sole purpose of financing the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county by the authority. The board shall provide a certified copy of the resolution to the director of taxation authorizing the levy of the sales tax approved by the voters.

(b) The Gage park improvement authority sales tax shall be in addition to and notwithstanding any limitations on the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto. Except as otherwise provided in this act, the sales tax authorized by this section shall be administered and collected pursuant to and subject to the provisions of K.S.A. 12-187 through 12-197, and amendments thereto.

(c) Upon receipt of a certified copy of a resolution authorizing the levy of a sales tax pursuant to this section, the director of taxation shall cause such tax to be collected in the county at the same time and in the same manner provided for the collection of the state retailers' sales tax. All taxes collected under the provisions of this act shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount of all taxes collected under the provisions of this act in the state treasury to the credit of the Gage park improvement authority sales tax fund, which is hereby established in the state treasury. All moneys in the Gage park improvement authority sales tax fund shall be remitted at least quarterly by the state treasurer, as directed by the secretary of revenue, to the Gage park improvement authority. The Gage park improvement authority shall administer such moneys as provided by section 26, and amendments thereto.

New Sec. 24. (a) (1) If the initial Gage park improvement authority sales tax is imposed at a rate lower than 0.5%, then the board of county commissioners may adopt a resolution stating the board's intention to increase the Gage park improvement authority sales tax imposed pursuant to section 23, and amendments thereto, by one or more increments of 0.05%. Such tax shall be imposed for the sole purpose of financing the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county and shall be administered by the authority as provided by section 26, and amendments thereto. The sales tax may be increased as provided by this section one or more times, but the total aggregate sales tax authorized by this act shall not exceed 0.5%.

(2) The board of county commissioners shall determine a time for a hearing upon the question of whether the Gage park improvement authority sales tax shall be increased and direct the county clerk to give notice thereof for three consecutive weeks on the county website and in a newspaper of general circulation within the county. The last publication of such notice shall be at least five days before the day of the hearing. The notice shall include a statement that the hearing is for the purpose of considering the incremental increase of the sales tax, the increase in the sales tax rate, the resulting aggregate rate of the sales tax, and information that a hearing will be held by the board of county commissioners, including the day and the hour of the hearing, and that all persons interested may appear and be heard at the hearing before the board.

(3) If, after such hearing, the board of county commissioners determines that the interests of the people of the county will be advanced by such an increase of the Gage park improvement authority sales tax, the board shall adopt a resolution proposing the increase of the sales tax for submission to the electors of the county as provided by subsection (c). Such resolution shall become effective upon adoption by a majority of the electors of the county.

(b) A petition requesting an incremental increase of the Gage park improvement authority sales tax by one or more increments of 0.05%, for the sole purpose of funding the acquisition, construction, improvement, equipment, operation, support, maintenance and development of eligible recreational facilities within the county may be presented to the board of county commissioners. The petition shall be signed by not less than the number of qualified electors of Shawnee county that is equal to 5% of the electors of such county who voted at the last preceding regular county election. The petition shall be filed with the Shawnee county election office at least 60 days prior to the date of an election in an even-numbered year. Upon receipt of such petition, the board of county commissioners shall cause an election to be held as provided by subsection (c). Such petition shall become effective upon submission to and adoption by a majority of the electors of the county.

(c) If, at the conclusion of a public hearing, the board of county commissioners adopts a resolution as provided in subsection (a), or the board is presented with a petition with the required number of signatures of qualified electors as provided in subsection (b), the board shall direct the county clerk to submit a proposition to adopt the increase in the sales tax to the qualified electors within the county. Such election shall be held in an even-numbered year. Notice of such election shall be published on the county website and at least once per week for two consecutive weeks in the official

county newspaper. The second notice shall be published at least seven days prior to the date of such election. Any such election shall be called and held at any general election, as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. In lieu thereof, such election may be called and held in the manner provided by K.S.A. 25-431 et seq., and amendments thereto.

(d) The proposition presented to the electors shall be in substantially the following form:

"Shall the countywide sales tax for the Gage Park Improvement Authority be increased from \_\_\_\_\_ to \_\_\_\_\_ (insert rate, not to be more than 0.5%) to benefit Gage Park, the Topeka Zoo and Kansas Children's Discovery Center?"

The board of county commissioners may place additional language on the ballot to describe the use or allocation of the funds in a manner consistent with this act.

(e) If the proposition is approved by a majority of the voters of the county voting at such election, the Gage park improvement authority sales tax shall be increased to the rate set forth in the proposition and shall be collected and distributed to the Gage park improvement authority as provided by section 23, and amendments thereto. Such increase shall be in effect as of the first day of the year following the election. The board of county commissioners may proceed with the performance of all things necessary and incidental to the increase of the sales tax.

(f) If the majority of the electors of the county reject the proposition, any subsequent resolution by the county board adopted pursuant to subsection (a), or a petition presented to the board pursuant to subsection (b), may be resubmitted to the electors after one year from the date of the last election on any such proposition.

New Sec. 25. (a) The Gage park improvement authority shall be governed by a board composed of seven resident electors of Shawnee county as follows:

- (1) The director of Shawnee county parks or the director's designee;
- (2) the director of the Topeka zoo, who may be the president, chief executive officer or head of a nonprofit operator of the Topeka zoo, or such person's designee;
- (3) the director of the Kansas children's discovery center, who may be the president, chief executive officer or head of a nonprofit operator of the Kansas children's discovery center, or such person's designee;
- (4) two members appointed by the Topeka city council; and
- (5) two members appointed by the board of county commissioners of Shawnee county.

(b) Appointments of the initial members of the authority shall be made in such time that the authority may hold its first meeting prior to the end of the year in which the authority was first established. Appointed members shall serve terms of three years. The terms of the director of Shawnee county parks, the director of the Topeka zoo and the director of the Kansas children's discovery center shall not expire but shall transfer automatically to the successor officers of the respective organizations. The appointed members of the authority shall continue in such position until and unless removed by the appointing authority or a successor is appointed and qualified. Appointed members

shall be eligible for reappointment. Whenever a vacancy occurs in the appointed members of the authority, a successor shall be selected to fill such vacancy in the same manner that the vacated member was appointed and for the remainder of such vacated member's unexpired term. A vacancy of a member who is not an appointed member may be filled by a representative of the member's respective organization. Any member of the authority may be removed at any time by the member's respective appointing authority or organization, and a new member may then be selected by the member's respective appointing authority or organization.

(c) The authority shall select annually from its membership a chairperson, vice chairperson and secretary.

(d) The authority shall determine the time and place for its meetings. Meetings shall be held at least quarterly within Shawnee county for the purposes of reviewing, discussing and voting on the allocation of sales tax revenue. The county shall provide a suitable meeting place upon request of the authority. The authority shall be subject to the provisions of the Kansas open meetings act and the Kansas open records act.

(e) A majority of the authority shall constitute a quorum. No action of the authority shall be binding unless taken at a meeting in which at least a quorum is present and unless a majority of the members present at such meeting vote in favor of such action.

New Sec. 26. (a) The Gage park improvement authority shall have the following powers and duties:

(1) (A) To receive, hold, administer, distribute and expend the proceeds from the countywide sales tax imposed pursuant to this act and any other moneys obtained by the authority; to acquire, construct, improve, operate, equip, support, maintain and develop eligible recreational facilities within Gage park; and to distribute sales tax revenues to such eligible recreational facilities for such purposes, as provided by subparagraph (B);

(B) sales tax revenue received by the Gage park improvement authority from the first 0.2% of the rate levied shall be allocated and distributed by the authority as follows:

(i) 22% shall be distributed to Shawnee county to be used for the benefit of Gage Park as provided by this act;

(ii) 58% shall be distributed to the Topeka zoo and shall be directed to any nonprofit operator of the Topeka zoo;

(iii) 15% shall be distributed to the Kansas children's discovery center and shall be directed to any nonprofit operator of the Kansas children's discovery center; and

(iv) 5% shall be allocated and distributed in the discretion of the Gage park improvement authority for any of the following purposes:

(a) The acquisition, construction, improvement, equipment, operation, support, maintenance and development of the eligible recreational facilities;

(b) community enrichment and outreach for the benefit of the eligible recreational facilities;

(c) children's educational programming for the eligible recreational facilities;

- (d) other items of public benefit and interest connected to Gage park; and
- (e) actual and necessary expenses of the members of the authority in carrying out their official duties and reasonable administrative expenses; and

(C) the sales tax revenue received by the Gage park improvement authority from the portion of a rate that exceeds the rate of 0.2% shall be allocated as determined by the Gage park improvement authority for any of the following purposes:

- (i) The acquisition, construction, improvement, equipment, operation, support, maintenance and development of the eligible recreational facilities;
- (ii) community enrichment and outreach for the benefit of the eligible recreational facilities;
- (iii) children's educational programming for the eligible recreational facilities;
- (iv) other items of public benefit and interest connected to Gage park; and
- (v) actual and necessary expenses of the members of the authority in carrying out their official duties and reasonable administrative expenses;

(2) to sue and be sued and to prosecute and defend any action in any court of competent jurisdiction;

(3) to enter into contracts to carry out the purposes of the authority and contracts or other instruments as necessary or convenient in the exercise of any of the powers of the authority;

(4) to receive for any authorized purposes and functions any contributions or moneys appropriated by Shawnee county or the city of Topeka and solicit and receive any donations or grants of money, equipment, supplies, materials and services from any state, the United States or any agency thereof or from any institution, foundation, organization, person, firm or corporation and utilize and dispose of such moneys, donations and grants in the discretion of the authority for the same purposes as provided by this act for the Gage park authority sales tax; and

(5) to adopt, amend and repeal bylaws and rules consistent with this act governing the manner that the powers and purposes of the authority shall be carried out and effected.

(b) The authority shall have the power to perform all other necessary and incidental functions and duties and to exercise all other necessary and appropriate powers consistent with the constitution or laws of this state to effectuate its purposes and duties as provided by this act.

(c) The authority shall be subject to dissolution in the same manner as the dissolution of a special district in accordance with K.S.A. 2021 Supp. 12-3921 through K.S.A. 12-3923, and amendments thereto.

New Sec. 27. (a) Expenses necessary to finance administrative operations of the authority for the first six months after the authority's creation shall be appropriated to the authority by the county. Thereafter, the moneys necessary to finance the operation of the authority shall be drawn from the Gage park improvement authority sales tax fund, as provided by section 26, and amendments thereto.



(b) The authority shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the authority shall be audited periodically as directed by the county. Such audit shall be performed by a certified or licensed public accountant selected by the county. The report of the audit shall be included in and become a part of the annual report of the authority in any year in which an audit is conducted. The cost of such audit shall be paid by the county.

(c) The authority shall annually prepare a report on the operations and the transactions, receipts and disbursements of the authority during the preceding year. The report shall be submitted to the board of county commissioners and the Topeka city council. The county shall publish the authority's annual report on the county's website.

Sec. 28. K.S.A. 2021 Supp. 12-187 is hereby amended to read as follows: 12-187.

(a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within such county that contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within such county that levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county

commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(H) The result of the election held on November 7, 2017, on the question submitted by the board of county commissioners of Finney county for the purpose of increasing its countywide retailers' sales tax by 0.3% is hereby declared valid, and the revenues of such tax shall be used by Finney county and the city of Garden City, Kansas, as agreed in an interlocal cooperation agreement between the city and county, and as detailed in the ballot question approved by voters. The tax imposed pursuant to this subparagraph shall be levied for a period of 15 years from the date it is first levied.

(I) The result of the election held on November 3, 2020, on the question submitted by the board of county commissioners of Cherokee county for the purpose of increasing its retailers' sales tax by 0.5% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing: (i) Ambulance services within the county; (ii) renovations and maintenance of county buildings and facilities; or (iii) any other projects within the county deemed necessary by the governing body of Cherokee county. The tax imposed pursuant to this subparagraph shall terminate prior to January 1, 2033.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax

imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) (A) The board of county commissioners of Clay and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(B) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway

improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) (A) The board of county commissioners of Cowley, Crawford and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected.

(B) The board of county commissioners of Russell county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The

tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected. On and after July 1, 2019, the countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for one additional period not to exceed 15 years upon the board of county commissioners of Wabaunsee county submitting such question to the electors at an election called and held thereon as provided by law. For any countywide retailers' sales tax that is extended or reenacted pursuant to this paragraph, such tax shall expire not later than 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon.

The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held

thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(32) The board of county commissioners of Marion county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and the construction of public infrastructure improvements, including buildings, to the electors at an election called and held thereon.

(33) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of supporting emergency medical and ambulance services in the county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional periods not exceeding 10 years per period upon the board of county commissioners of Wilson county submitting such question to the electors at an election called and held thereon for each additional period as provided by law. This paragraph shall not be construed to cause the expiration, repeal or termination of any existing city retailers' sales tax for health care services as defined in paragraph (5).

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each



of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than  $\frac{2}{3}$  of the membership of the governing body of each of one or more cities within each of such counties that contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by  $\frac{2}{3}$  of the membership of the governing body of each of one or more taxing subdivisions within each of such counties that levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Notwithstanding any provision of law to the contrary, including subsection (b) (5), any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) (1) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

(2) In addition to the requirements set forth in paragraph (1), the governing body of the county proposing to levy a countywide retailers' sales tax shall include as a part of the ballot proposition whether:

(A) The apportionment formula provided in K.S.A. 12-192, and amendments thereto, will apply to the revenue;

(B) an interlocal agreement was entered whereby the county will retain either all or part of the revenue; or

(C) pursuant to law, the county retains the revenue in its entirety.

Sec. 29. K.S.A. 2021 Supp. 12-189 is hereby amended to read as follows: 12-189.

The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes, which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison or Thomas county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county, for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county, for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county, for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%;

0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%;

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%;

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%;

(ff) the board of county commissioners of Finney county, for the purposes of K.S.A. 12-187(b)(3)(H), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.3%; ~~and~~

(gg) the board of county commissioners of Cherokee county, for the purposes of K.S.A. 12-187(b)(3)(I), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%; ~~and~~

(hh) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(33), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall confirm that all provisions of law applicable to the authorization of local sales tax have been followed prior to causing the collection. If the director of taxation discovers that a city or county did not comply with any provision of law applicable to the authorization of a local sales tax after collection has commenced, the director shall immediately notify the city or county and cease collection of such sales tax until such noncompliance is remedied. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city

retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax that exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 30. K.S.A. 2021 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner:

(1)  $\frac{1}{2}$  of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and

(2)  $\frac{1}{2}$  of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county.

All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner:

(A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and

(B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows:

(i)  $\frac{1}{4}$  shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year;

(ii)  $\frac{1}{4}$  shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and

(iii)  $\frac{1}{2}$  shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such

tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (3)(I), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30), (31) ~~and~~, (32) and (33), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 31. K.S.A. 2021 Supp. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar

year 2012, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2023~~ 2026. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2023~~ 2026.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2024~~ 2027, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 32. K.S.A. 2021 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) For taxable years ~~2021 and year 2022, and all taxable years thereafter~~, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$20,000~~



\$40,000 of its appraised valuation.

(b) For taxable year 2023, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.

Sec. 33. K.S.A. 79-224 is hereby amended to read as follows: 79-224. (a) It is the purpose of this section to promote, stimulate, foster and encourage new investments in telecommunications machinery and equipment and railroad machinery and equipment in the state of Kansas, to recognize the dramatic changes within the telecommunications industry, to contribute to the economic recovery of the state, to enhance business opportunities in the state, to encourage the location of new businesses and industries in the state as well as the retention and expansion of existing businesses and industries and to promote the economic stability of the state by maintaining and providing employment opportunities, thereby contributing to the general welfare of the citizens of the state, by exempting from property taxation certain newly purchased or leased telecommunications machinery and equipment and railroad machinery and equipment, including all such machinery and equipment transferred into this state for the purpose of expanding an existing business or for the creation of a new business.

(b) The following described property, to the extent specified by this section, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

*First.* Telecommunications machinery and equipment and railroad machinery and equipment acquired by qualified purchase or lease made or entered into after June 30, 2006, as the result of a bona fide transaction not consummated for the purpose of avoiding taxation.

*Second.* Telecommunications machinery and equipment and railroad machinery and equipment transported into this state after June 30, 2006, for the purpose of expanding an existing business or creation of a new business.

(c) As used in this section:

(1) "Acquired" shall not include the transfer of property pursuant to an exchange for stock securities, or the transfer of assets from one going concern to another due to a merger, reorganization or other consolidation;

(2) "qualified lease" means a lease of telecommunications machinery and equipment or railroad machinery and equipment for not less than 30 days for fair and valuable consideration where such machinery and equipment is physically transferred to the lessee to be used in the lessee's business or trade;

(3) "qualified purchase" means a purchase of telecommunications machinery and equipment or railroad machinery and equipment for fair and valuable consideration where such machinery and equipment is physically transferred to the purchaser to be used in the purchaser's business or trade;

(4) "railroad machinery and equipment" means railroad machinery and equipment classified for property tax purposes within subclass (3) of class 2 of section 1 of article 11 of the constitution of the state of Kansas; and

(5) "telecommunications machinery and equipment" means network administrative assets; central office equipment; information, station and customer equipment; and outside plant equipment of a telecommunication company. "Telecommunications machinery and equipment" includes machinery and equipment placed in inventory or work-in-progress.

(d) The secretary of revenue is hereby authorized to adopt rules and regulations to administer the provisions of this section.

Sec. 34. K.S.A. 79-1476 is hereby amended to read as follows: 79-1476. The director of property valuation is hereby directed and empowered to administer and supervise a statewide program of reappraisal of all real property located within the state. Except as otherwise authorized by K.S.A. 19-428, and amendments thereto, each county shall comprise a separate appraisal district under such program, and the county appraiser shall have the duty of reappraising all of the real property in the county pursuant to guidelines and timetables prescribed by the director of property valuation and of updating the same on an annual basis. In the case of multi-county appraisal districts, the district appraiser shall have the duty of reappraising all of the real property in each of the counties comprising the district pursuant to such guidelines and timetables and of updating the same on an annual basis. Commencing in 2000, every parcel of real property shall be actually viewed and inspected by the county or district appraiser once every six years.

Compilation of data for the initial preparation or updating of inventories for each parcel of real property and entry thereof into the state computer system as provided for in K.S.A. 79-1477, and amendments thereto, shall be completed not later than January 1, 1989. Whenever the director determines that reappraisal of all real property within a county is complete, notification thereof shall be given to the governor and to the state board of tax appeals.

Valuations shall be established for each parcel of real property at its fair market value in money in accordance with the provisions of K.S.A. 79-503a, and amendments thereto.

In addition thereto, valuations shall be established for each parcel of land devoted to agricultural use upon the basis of the agricultural income or productivity attributable to the inherent capabilities of such land in its current usage under a degree of management reflecting median production levels in the manner hereinafter provided. A classification system for all land devoted to agricultural use shall be adopted by the director of property valuation using criteria established by the United States department of agriculture—~~soil~~ natural resources conservation service. For all taxable years commencing after December 31, 1989, all land devoted to agricultural use ~~which that~~ is subject to the federal conservation reserve program shall be classified as cultivated dry land for the purpose of valuation for property tax purposes pursuant to this section, except that for all taxable years commencing after December 31, 2022, all land devoted to agricultural use that is subject to the federal grassland conservation reserve program (CRP grasslands) shall be classified as grassland for the purpose of valuation for property tax purposes pursuant to this section. For all taxable years commencing after December 31, 1999, all land devoted to agricultural use ~~which that~~ is subject to the federal wetlands reserve program shall be classified as native grassland for the purpose of valuation for property tax purposes pursuant to this section. Productivity of land devoted to agricultural use shall be determined for all land classes within each county or

homogeneous region based on an average of the eight calendar years immediately preceding the calendar year ~~which that~~ immediately precedes the year of valuation, at a degree of management reflecting median production levels. The director of property valuation shall determine median production levels based on information available from state and federal crop and livestock reporting services, the ~~soil~~ natural resources conservation service, and any other sources of data that the director considers appropriate.

The share of net income from land in the various land classes within each county or homogeneous region ~~which that~~ is normally received by the landlord shall be used as the basis for determining agricultural income for all land devoted to agricultural use except pasture or rangeland. The net income normally received by the landlord from such land shall be determined by deducting expenses normally incurred by the landlord from the share of the gross income normally received by the landlord. The net rental income normally received by the landlord from pasture or rangeland within each county or homogeneous region shall be used as the basis for determining agricultural income from such land. The net rental income from pasture and rangeland ~~which that~~ is normally received by the landlord shall be determined by deducting expenses normally incurred from the gross income normally received by the landlord. Commodity prices, crop yields and pasture and rangeland rental rates and expenses shall be based on an average of the eight calendar years immediately preceding the calendar year ~~which that~~ immediately precedes the year of valuation. Net income for every land class within each county or homogeneous region shall be capitalized at a rate determined to be the sum of the contract rate of interest on new federal land bank loans in Kansas on July 1 of each year averaged over a five-year period ~~which that~~ includes the five years immediately preceding the calendar year which immediately precedes the year of valuation, plus a percentage not less than 0.75% nor more than 2.75%, as determined by the director of property valuation, except that the capitalization rate calculated for property tax year 2003, and all such years thereafter, shall not be less than 11% nor more than 12%.

Based on the foregoing procedures, the director of property valuation shall make an annual determination of the value of land within each of the various classes of land devoted to agricultural use within each county or homogeneous region and furnish the same to the several county appraisers who shall classify such land according to its current usage and apply the value applicable to such class of land according to the valuation schedules prepared and adopted by the director of property valuation under the provisions of this section.

It is the intent of the legislature that appraisal judgment and appraisal standards be followed and incorporated throughout the process of data collection and analysis and establishment of values pursuant to this section.

For the purpose of the foregoing provisions of this section, the phrase "land devoted to agricultural use" shall mean and include land, regardless of whether it is located in the unincorporated area of the county or within the corporate limits of a city, ~~which that~~ is devoted to the production of plants, animals or horticultural products, including, but not limited to: Forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; and nursery, floral, ornamental and greenhouse products. "Land devoted to agricultural use" shall include land established as a controlled shooting area pursuant to K.S.A. 32-943, and

amendments thereto, which shall be deemed to be land devoted to agricultural use. "Land devoted to agricultural use" shall include land that is utilized by zoos that hold a valid class C exhibitor license issued by the United States department of agriculture. "Land devoted to agricultural use" shall include land otherwise devoted to the production of plants, animals or horticultural products that is incidentally used for agritourism activity. For purposes of this section, "agritourism activity" means any activity that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including, but not limited to, farming activities, ranching activities or historic, cultural or natural attractions. An activity may be an "agritourism activity" whether or not the participant pays to participate in the activity. An activity is not an "agritourism activity" if the participant is paid to participate in the activity. If a parcel has land devoted to agricultural purposes and land used for suburban residential acreages, rural home sites or farm home sites, the county appraiser shall determine the amount of the parcel used for agricultural purposes and value and assess it accordingly as land devoted to agricultural purposes. The county appraiser shall then determine the amount of the remaining land used for such other purposes and value and assess that land according to its use.

The term "expenses" shall mean those expenses typically incurred in producing the plants, animals and horticultural products described above, including management fees, production costs, maintenance and depreciation of fences, irrigation wells, irrigation laterals and real estate taxes, but the term shall not include those expenses incurred in providing temporary or permanent buildings used in the production of such plants, animals and horticultural products.

The provisions of this act shall not be construed to conflict with any other provisions of law relating to the appraisal of tangible property for taxation purposes including the equalization processes of the county and state board of tax appeals.

Sec. 35. K.S.A. 79-1613 is hereby amended to read as follows: 79-1613. (a) As used in this section:

(1) "Destroyed or substantially destroyed" means damage of any origin sustained by a homestead or building or improvement as the direct result of: (A) An earthquake, flood, tornado, fire or storm; or (B) an event or occurrence ~~which that~~ the governor of the state of Kansas has declared a disaster, whereby the cost of restoring the structure damaged as a result of subparagraph (A) or (B) to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

(2) "Homestead" means the dwelling, or any part thereof, whether owned or rented, ~~which that~~ is occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

~~(3) "Public or private buyout" means any buyout from a local, state or federal governmental entity or any non-governmental entity, including, but not limited to, an individual, foundation, trust, association, corporation, limited liability company or partnership.~~

(b) The owner of any building or improvement listed and assessed for property taxation purposes as real property or any homestead listed and assessed for property

taxation purposes ~~which that~~ was destroyed or substantially destroyed ~~due to an earthquake, flood, tornado, fire, storm, or other event or occurrence which the governor of the state of Kansas has declared a disaster~~ may make application to the board of county commissioners of the county in which such property is located for the abatement of property taxes levied upon such homestead or building or improvement or for a credit against property taxes payable by such owner, as permitted by this section.

(1) If such homestead or building or improvement has been so destroyed or substantially destroyed after January 1 of a particular year but prior to August 15 of such year, the owner of such homestead or building or improvement may make application to such board of county commissioners for the abatement of property taxes levied upon such homestead or building or improvement, or if such property taxes have been paid or partially paid, may make application for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(2) If such homestead or building or improvement has been so destroyed or substantially destroyed on or after August 15 of a particular year but prior to January 1 of the next succeeding year, the owner of such homestead or building or improvement may make application to such board of county commissioners for the granting of a credit against property taxes payable by such owner during any or all of the next succeeding three taxable years.

(c) An application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid or for both, as the case may be, and may be made on or before December 20 of the year next succeeding the year for which such taxes have been assessed.

(d) Upon receipt of any such application, subject to budgetary restraints of the county or taxing subdivision ~~arising from the event or occurrence declared a disaster by the governor~~, the board of county commissioners shall inquire into and make findings regarding, among other things, whether the property is a homestead, as defined in subsection (a), whether the property is a building or improvement, whether the homestead or the building or improvement was destroyed or substantially destroyed, as defined in subsection (a) and the assessed valuation thereof. If it is determined that an owner of such homestead or building or improvement is entitled to an abatement of all or any portion of the property taxes levied against such homestead or building or improvement or is entitled to a credit against property taxes payable by such owner in any or all of the next succeeding three years, the board may issue an order so providing.

(e) The county clerk and county treasurer shall in each case of abatement or credit correct their records in accordance therewith and the county clerk shall notify the governing body of any taxing district affected thereby.

(f) The provisions of this section shall be applicable to all taxable years commencing after December 31, ~~2014~~ 2018, ~~and all taxable years thereafter.~~

(g) Notwithstanding any provision of subsection (c) to the contrary, an application for relief as permitted by subsection (b) may be made for abatement of property taxes assessed but not yet paid, or for a grant of a credit for assessed property taxes paid, or for both, as the case may be, and may be made on or before December 20, 2022, for taxable years 2019 and 2020.

Sec. 36. K.S.A. 79-2930 is hereby amended to read as follows: 79-2930. (a) Two

copies of the budget certificate giving the amount of ad valorem tax to be levied and the total amount of the adopted budget of expenditures by fund, along with itemized budget forms for each and every fund and proof of publication of the notice of budget hearing containing the budget summary shall be presented to the county clerk within the time prescribed by K.S.A. 79-1801, and amendments thereto. ~~Beginning in 2009,~~ All such budget information shall be filed electronically with the county clerk. Where action has been taken under any statute to increase the amount of tax to be levied authorized by law, a statement showing the increased amount or tax levy rate voted, or a copy of the charter resolution or ordinance making the change, shall be attached to the budget each year the change is in effect.

(b) The county clerk shall make any reductions to the ad valorem tax to be levied, compute the tax levy rates based on the final equalized assessed valuation, and enter such on the budget certificate before attesting the budget, except that with regard to levies made under K.S.A. 75-2551, and amendments thereto, such levies shall be based upon the certified preliminary abstract of property values submitted to the director of property valuation pursuant to K.S.A. 79-1604, and amendments thereto. Beginning in 2022, on or before December 31 each year, a copy of all budgets for taxing subdivisions of the county, properly attested, shall be filed with the director of accounts and reports, along with a copy of the tax levy rate summary ~~required of the county treasurer by K.S.A. 79-2002, and amendments thereto.~~ ~~Beginning in 2009,~~ All such budget information shall be filed electronically with the director of accounts and reports.

(c) Each fund of the adopted budget certified to the county clerk in no event shall exceed the amount of ad valorem tax to be levied and the proposed expenditures of such fund in the proposed budget as originally published. The governing body of each taxing subdivision shall not certify an amount of ad valorem taxes to be levied that is in excess of any tax levy rate or amount limitations or any aggregate tax levy limitations. The governing bodies, in fixing the amount may take into consideration and make allowance for the taxes which may not be paid, such allowance, however, shall not exceed by more than 5% the percentage of delinquency for the preceding tax year.

Sec. 37. K.S.A. 2021 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice: (A) On the website of the governing body, if the governing body maintains a website; and

(B) in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and

location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;

(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(C) the proposed tax rate based upon the proposed budget and the current year's total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

~~(E)~~(F) the appraised value and assessed value of the taxpayer's property for the current year;

~~(F)~~(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

~~(G)~~(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph ~~(F)~~ (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

~~(H)~~(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include a statement of the statutory mill levies imposed by the state and the estimate of the tax for the current year on the taxpayer's property based on such levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c)(1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this ~~subsection~~ paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the 20 mills levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from the 20 mills is the only reason the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only the 20 mills.

(e)(1) Notwithstanding any other provision of law to the contrary, if the governing



body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

~~(e)~~(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

~~(f)~~(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2021 Supp. 79-2989, and amendments thereto, such county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment of such costs shall be due to the county clerk by December 31.

~~(g)~~ The provisions of this section shall take effect and be in force from and after January 1, 2021.

(h) The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

- (1) A list of taxing subdivisions by county;
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;
- (3) the revenue neutral rate of each taxing subdivision;
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.";

On page 15, by striking all in lines 23 through 43;

By striking all on pages 16 through 29;

On page 30, by striking all in lines 1 through 16; following line 16, by inserting:

"Sec. 40. K.S.A. 79-32,121 is hereby amended to read as follows: 79-32,121. (a) An individual shall be allowed a Kansas exemption of \$2,250 ~~for tax year 1998, and all~~

~~tax years thereafter, for each exemption for which such individual is entitled to a deduction for the taxable year for federal income tax purposes. In addition to the exemptions authorized in the foregoing provision, an individual filing a federal income tax return under the status of head of household, as the same is defined by 26 U.S.C. § 2(b), shall be allowed an additional Kansas exemption of \$2,250 for tax year 1998.~~

(b) In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption of \$2,250 for tax year 2023 and all tax years thereafter.

Sec. 41. K.S.A. 79-32,182b is hereby amended to read as follows: 79-32,182b. (a) For all taxable years commencing after December 31, ~~2000~~ 2022, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of a taxpayer for expenditures in research and development activities conducted within this state in an amount equal to ~~6<sup>1</sup>/<sub>2</sub>%~~ 10% of the amount by which the amount expended for such activities in the taxable year of the taxpayer exceeds the taxpayer's average of the actual expenditures for such purposes made in such taxable year and the next preceding two taxable years.

(b) In any one taxable year, the amount of such credit allowable for deduction from the taxpayer's tax liability shall not exceed 25% of the total amount of such credit plus any applicable carry forward amount. The amount by which that portion of the credit allowed by subsections (a) and (b) to be claimed in any one taxable year exceeds the taxpayer's tax liability in such year may be carried forward until the total amount of the credit is used.

(c) As used in this section, the term "expenditures in research and development activities" means expenditures made for such purposes, other than expenditures of moneys made available to the taxpayer pursuant to federal or state law, which are treated as expenses allowable for deduction under the provisions of the federal internal revenue code of 1986, as amended, except that for taxable years commencing after December 31, 2013, expenditures in research and development activities shall not include any expenditures for the performance of any abortion, as defined in K.S.A. 65-6701, and amendments thereto.

~~(d) For tax year 2013 and all tax years thereafter, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to subsection (c) of K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability~~ For tax year 2023 and all tax years thereafter, the income tax credit allowed pursuant to this section shall be transferable by a taxpayer without a current tax liability. The tax credit may be transferred to any person and be claimed by the transferee as a credit against the transferee's Kansas income tax liability in the tax year when it was transferred. The credit shall be claimed and may be carried forward by the transferee as provided and limited by subsection (b). No person shall be entitled to a refund for the transferred tax credit. Only the full credit may be transferred, and the credit may only be transferred one time. Documentation of any credit acquired by transfer shall be provided by the taxpayer or the transferee in the manner required by the secretary of

revenue.";

On page 31, in line 35, by striking all after the period; by striking all in lines 36 and 37; in line 38, by striking all before "Prior";

On page 33, in line 19, by striking "\$500,000" and inserting "\$250,000"; in line 22, by striking "\$1,000,000" and inserting "\$500,000"; in line 24, by striking "\$7,000,000" and inserting "\$5,000,000";

On page 34, in line 5, after "(e)" by inserting "(1)"; following line 31, by inserting:

"(2) The provisions of this subsection shall not apply to tax credits earned pursuant to subsection (a)(2).";

Also on page 34, by striking all in lines 41 through 43; following line 43, by inserting:

"Sec. 43. K.S.A. 2021 Supp. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2024~~ 2027, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2023~~ 2026, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) This section shall be a part of and supplemental to the Kansas income tax act.

Sec. 44. K.S.A. 2021 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human

consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12<sup>th</sup> grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the higher learning commission, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated,

solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property that is necessary or essential to, and that is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale that are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and that is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization that makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property that has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of

such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or that certifies a levy to a municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property that is essential or necessary to and that is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, that qualifies as property that is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

- (C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.
- (ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.
- (ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.
- (gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.
- (hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.
- (ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.
- (jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.
- (kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.
- (ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:
- (A) The seller's cost of the property sold;
- (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;
- (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- (D) delivery charges that are not separately stated on the invoice, bill of sale or similar document given to the purchaser; and
- (E) installation charges.
- (2) "Sales or selling price" includes consideration received by the seller from third parties if:
- (A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
- (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
- (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and



(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; ~~and~~

(E) ~~commencing on July 1, 2018, and ending on June 30, 2024, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale; and~~

(F) delivery charges that are separately stated on the invoice, bill of sale or similar document given to the purchaser.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, that shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter drug" means a drug that contains a label that identifies the

product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, that offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47

U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Cereal malt beverage" shall have the same meaning as such term is defined in K.S.A. 41-2701, and amendments thereto, except that for the purposes of the Kansas retailers sales tax act and for no other purpose, such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

(iii) "Nonprofit integrated community care organization" means an entity that is:

(1) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(2) certified to participate in the medicare program as a hospice under 42 C.F.R. § 418 et seq. and focused on providing care to the aging and indigent population at home and through inpatient care, adult daycare or assisted living facilities and related facilities and services across multiple counties; and

(3) approved by the Kansas department for aging and disability services as an organization providing services under the program of all-inclusive care for the elderly as defined in 42 U.S.C. § 1396u-4 and regulations implementing such section.

Sec. 45. K.S.A. 79-3606d is hereby amended to read as follows: 79-3606d. (a) (1) The following shall be exempt from the tax imposed by the Kansas retailers' sales tax

act: All sales of tangible personal property and services purchased ~~during calendar years 2017 and 2018 on and after January 1, 2021, and purchased within two years of the date of the applicable disaster declaration~~ necessary to reconstruct, repair or replace any fence that was damaged or destroyed by ~~wildfires a wildfire, flood, tornado or other natural disaster~~ occurring ~~during calendar years 2016 and 2017 on and after January 1, 2021,~~ and the purpose for which is to enclose land devoted to agricultural use.

(2) A taxpayer shall be eligible for the exemption pursuant to this section if the affected property containing the damaged or destroyed fencing is located within an area declared to be a disaster by the federal, state or local government.

(3) Sales tax paid on and after January 1, ~~2017~~ 2021, upon the gross receipts received from any such sale shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this section. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee. Any person reconstructing, repairing or replacing such property, or any person who shall contract for the reconstruction, repair or replacement of any such property shall obtain from the state an exemption certificate for the project involved. The certificate shall be furnished to the person or contractor to purchase materials and lease machinery and equipment for such project. The person or contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the person that obtained the exemption certificate, a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection.

~~(b)(4) As used in this subsection, "wildfire" means a fire that spreads rapidly over grassland, woodland or brush creating unwanted and unplanned destruction.~~

(b) On and after July 1, 2022, all sales of tangible personal property and services necessary to construct, reconstruct, repair or replace any fence that is used to enclose land devoted to agricultural use shall be exempt from the tax imposed by the Kansas retailers' sales tax act.

~~(c) The provisions of this section shall be deemed to be a part of and supplemental to the Kansas retailers' sales tax act.~~

Sec. 46. K.S.A. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) "Income" means the sum of adjusted gross income under the Kansas income tax act effective for tax year 2013 and thereafter without regard to any modifications pursuant to K.S.A. 79-32,117(b)(xx) through (xxiii) and (c)(xx), and amendments thereto, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a

claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of "loss of time" insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net capital losses be considered in the determination of income. Income does not include veterans disability pensions. Income does not include disability payments received under the federal social security act.

(b) "Household" means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) "Household income" means all income received by all persons of a household in a calendar year while members of such household.

(d) "Homestead" means the dwelling, or any part thereof, owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (1) For purposes of a claim under K.S.A. 79-4508, and amendments thereto: (A) A person having a disability; ~~(2) (B) a person who is 55 years of age or older; ~~(3) (C) a disabled veteran; ~~(4) (D) the surviving spouse of active duty military personnel who died in the line of duty; or ~~(5) (E) a person other than a person included under (1), (2), (3) or (4) subparagraph (A), (B), (C) or (D) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act; or (2) for purposes of a claim under section 17, and amendments thereto: (A) A person who is 65 years of age or older; or (B) a disabled veteran.~~~~~~~~ The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection ~~(e)(3) of this section (e)(1)(C)~~ at the time of the veterans' death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is

that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(g) "Disability" means:

(1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; for purposes of this subsection, a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time.

(h) "Blindness" means central visual acuity of  $20/200$  or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of  $20/200$  or less.

(i) "Disabled veteran" means a person who is a resident of Kansas and has been honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States department of veterans affairs or its successor to have a 50% or greater permanent disability sustained through military action or accident or resulting from disease contracted while in such active service.

Sec. 47. K.S.A. 79-4508 is hereby amended to read as follows: 79-4508. (a) Commencing in the tax year beginning after December 31, 2005, the amount of any claim pursuant to this act and under this section shall be computed by deducting the amount computed under column (2) from the amount of claimant's property tax accrued.

	(1)		(2)
	<del>Claimants</del> Claimant's household income		Deduction from property tax accrued
	At least	But not more than	
	\$0	\$6,000	\$0
	6,001	7,000	4%
	7,001	16,000	4% plus 4% of every \$1,000, or fraction thereof, of income in excess of \$7,001
	16,001	27,000	40% plus 5% of every \$1,000, or fraction thereof, of income in excess of \$16,001
	27,001	27,600	95%

(b) The director of taxation shall prepare a table under which claims under this act and this section shall be determined. The amount of claim for each bracket shall be computed only to the nearest \$1.

(c) The claimant may elect not to record the amount claimed on the claim. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

(d) In the case of all tax years commencing after December 31, 2004, the upper limit threshold amount prescribed in this section, shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

Sec. 48. K.S.A. 79-4509 is hereby amended to read as follows: 79-4509. (a) In the event property taxes accrued exceeds \$700 for a household in any one year, the amount thereof shall, for purposes of this act, be deemed to have been \$700.

(b) The provisions of subsection (a) shall not apply to a claim for refund pursuant to section 17, and amendments thereto.

Sec. 49. K.S.A. 79-224, 79-1476, 79-1613, 79-2930, 79-3220, 79-32,111, 79-32,121, 79-32,182b, 79-32,261, 79-3606d, 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 12-187, 12-189, 12-192, 74-50,223, 79-201x, 79-2988, 79-32,267 and 79-3602 are hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "income"; also in line 1, by striking all after the semicolon; by striking all in lines 2 and 3; in line 4, by striking all before the semicolon and inserting "relating to income tax"; in line 5, by striking all after the semicolon; in line 7, by striking "deductions,;"; in line 9, by striking all after the first semicolon; by striking all in lines 10 through 14; in line 15, by striking "disallowance,;"; in line 16, after the semicolon by inserting "providing tax credits for graduates of

aerospace and aviation-related educational programs and employers of program graduates; providing a tax credit for school and classroom supplies purchased by teachers; providing homestead property tax refunds from the income tax refund fund to certain persons based on the increase in property tax over the base year property tax amount; expanding eligibility, amount and transferability of the research and development tax credit; providing a credit for qualified railroad track maintenance expenditures of short line railroads and associated rail siding owners or lessees; providing for an additional personal exemption for 100% disabled veterans; relating to property tax; establishing a revenue neutral rate complaint process for tax levies; authorizing the county clerk to limit the amount of ad valorem taxes to be levied in certain circumstances; establishing a deadline for budgets to be filed with the director of accounts and reports; requiring roll call votes and publication of information; relating to classification and valuation; classifying certain agritourism activities and zoos as land devoted to agricultural use; classifying land devoted to agriculture that is subject to the federal grassland conservation reserve program as grassland; establishing a property tax exemption for antique utility trailers; allowing for the proration of value when certain personal property is acquired or sold prior to September 1 of any tax year; providing for the exemption of inventory and work-in-progress machinery and equipment for telecommunications machinery and equipment; increasing the extent of exemption for residential property from the statewide school levy; providing for abatement or credit of property tax for buildings and improvements destroyed or substantially destroyed by natural disaster; relating to sales and compensating use tax; providing an exemption for certain fencing and for reconstructing, repairing or replacing certain fencing damaged or destroyed by a wildfire, flood, tornado or other natural disaster; excluding separately stated delivery charges from sales or selling price; removing the expiration on manufacturer cash rebates on motor vehicles; providing countywide retailers' sales tax authority for Wilson county; requiring disclosure of distribution of revenues on countywide retailers' sales tax ballot proposals; validating the election held to approve a retailers' sales tax levy by the city of Latham; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; enacting the Gage park improvement authority act; providing for the creation of the Gage park improvement authority; permitting a sales tax within the boundaries of Shawnee county;"; also in line 16, by striking all after "amending" by striking all in lines 17 and 18; in line 19, by striking all before the period and inserting "K.S.A. 79-224, 79-1476, 79-1613, 79-2930, 79-3220, 79-32,111, 79-32,121, 79-32,182b, 79-32,261, 79-3606d, 79-4502, 79-4508 and 79-4509 and K.S.A. 2021 Supp. 12-187, 12-189, 12-192, 74-50,223, 79-201x, 79-2988, 79-32,267 and 79-3602 and repealing the existing sections";

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

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

*Conferees on part of Senate*

ADAM SMITH

LES MASON

JIM GARTNER

*Conferees on part of House*



On motion of Rep. Smith, A., the conference committee report on **HB 2239** was adopted.

On roll call, the vote was: Yeas 103; Nays 10; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergquist, Blex, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Minnix, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard.

Nays: Bergkamp, Fairchild, Featherston, Highberger, Miller, Ousley, Samsel, Stogsdill, Turner, Xu.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

#### EXPLANATION OF VOTE

MR. SPEAKER: I am voting no on **HB 2239** because it bundles 29 bills together into one. This is far too many a quantity of bills to be bundled together at this late hour for me to approve. I am pleased that the wide margin of passage will allow my constituents to receive property tax relief, despite the vast number of provisions that will not affect them at all – LINDA FEATHERSTON

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Arnberger, the House concurred in Senate amendments to **HB 2644**, AN ACT designating the Sandhill plum as the official state fruit.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 108; Nays 5; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Burris, Burroughs, Byers, Carlin, Carlson, W. Carpenter, Clark, Clayton, Clifford, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Howell, Howerton, Hoye, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Collins, Houser, Landwehr, Samsel.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 261** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 261, as follows:

On page 5, by striking all in lines 22 through 28;

On page 7, in line 9, by striking "the same" and inserting "a prominent and conspicuous"; in line 10, by striking ", style and";

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

KEN RAHJES

ERIC SMITH

SYDNEY CARLIN

*Conferees on part of House*

DAN KERSHEN

RON RYCKMAN

MARY WARE

*Conferees on part of Senate*

On motion of Rep. Rahjes, the conference committee report on **H Sub for SB 261** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Howell, Howerton, Hoyer, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Meyer, Miller, Minnix, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Owens, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

**INTRODUCTION OF ORIGINAL MOTION**

On motion of Rep. Hawkins, pursuant to House Rule 2311, House Rule 101 be suspended to allow the House to meet between midnight and 8:00 a.m.

The motion prevailed.

On motion of Rep. Hawkins, the House recessed until 10:35 p.m.

---

**NIGHT SESSION**

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGE FROM THE SENATE**

The Senate adopts the Conference Committee report on **HB 2138**.

The Senate adopts the Conference Committee report on **HB 2252**.

**CONFERENCE COMMITTEE REPORT**

On motion of Rep. Barker to adopt the conference committee report on **SB 84**, Rep. Helgerson offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

Roll call was demanded on the substitute motion of Rep. Helgerson.

On roll call, the vote was: Yeas 56; Nays 56; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alcala, Amyx, Awerkamp, Baker, Ballard, Bergkamp, Bergquist, Blex, Burris, Burroughs, Byers, Carlin, Carmichael, Curtis, Dodson, M., Donohoe, Ellis, Esau, French, Garber, Gartner, Helgerson, Henderson, Highberger, Howe, Howell, Howerton, Huebert, Jacobs, Kuether, Lee-Hahn, Mason, Miller, Minnix, Murphy, Neighbor, Newland, Ohaebosim, Orr, Osman, Ousley, Probst, Proctor, Rhiley, Ruiz, S., Sanders, Seiwert, Smith, C., Smith, E., Stogsdill, Toplikar, Turner, Waggoner, Weigel, Wheeler, Wolfe Moore.

Nays: Anderson, Amberger, Barker, Carlson, W. Carpenter, Clark, Clayton, Clifford, Collins, Corbet, Croft, Delperdang, Eplee, Fairchild, Featherston, Finch, Francis, Haswood, Hawkins, Highland, Hoffman, Hoheisel, Houser, Hoye, Humphries, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Meyer, Neelly, Owens, Penn, Poskin, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ryckman, Samsel, Sawyer, Schreiber, Smith, A., Sutton, Tarwater, Thomas, Thompson, Vaughn, Wasinger, Waymaster, K. Williams, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, S. Johnson, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

The substitute motion of Rep. Helgerson did not prevail and the question reverted back to the original motion of Rep. Barker to adopt the conference committee report.

Also, on motion of Rep. Helgerson to adjourn, the motion did not prevail.

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 84** submits the following report:

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

Committee of the Whole, as follows:

On page 51, in line 32, by striking all before "manage";

On page 52, in line 14, after "(b)" by inserting "(1)"; in line 24, after "director" by inserting "shall issue a final decision regarding approval of an interactive sports wagering platform within 30 days after the date the request for approval was submitted and"; following line 28, by inserting:

"(2) On or before September 1, 2022, the executive director shall prescribe a process for submission of requests for approval and approval of interactive sports wagering platforms and shall notify all lottery gaming facility managers of such process.

(3) On or before August 1, 2022, the executive director of the Kansas racing and gaming commission shall prescribe a process for conducting background investigations of interactive sports wagering platforms and shall notify all lottery gaming facility managers of such process. The Kansas racing and gaming commission shall commence background investigations of interactive sports wagering platforms on or before August 15, 2022.";

Also on page 52, in line 30, by striking "one" and inserting "three"; also in line 30, by striking "interface" and inserting "interfaces"; in line 31, after "team" by inserting "or auto racetrack facility";

On page 54, in line 7, after "team" by inserting ", auto racetrack facility"; in line 10, after "team" by inserting ", auto racetrack facility"; in line 11, by striking all after "be"; in line 14, by striking "operation"; in line 15, by striking "or"; in line 18, after "team" by inserting ", auto racetrack facility"; in line 20, after "team" by inserting ", auto racetrack facility"; in line 26, after "team" by inserting "or auto racetrack facility"; in line 30, by striking "operating and"; in line 31, by striking "the" and inserting "such"; in line 33, after "team" by inserting ", auto racetrack facility"; in line 34, after "team" by inserting ", auto racetrack facility"; in line 38, by striking "operate and";

On page 55, in line 39, after "wagers" by inserting "with the manager at the manager's location or through the manager's interactive sports wagering platform;

(2) prohibit an interactive sports wagering platform, any director, officer, owner and employee of such platform and any relative living in the same household as such persons from placing any wager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation";

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

On page 58, in line 2, by striking "Such records" and inserting "The records described in subsections (a)(1) through (a)(6)"; also in line 2, by striking "three" and inserting "two"; in line 3, after the period by inserting "Video recordings described in subsection (a)(7) shall be maintained for at least 30 days after the sporting event occurs.";

On page 59, following line 9, by inserting:

"(c) The executive director shall allow lottery gaming facility managers to carry over negative sports wagering revenues and apply such amounts to returns filed for subsequent weeks. Sports wagering revenues for a week will be considered negative if the sum of the winnings paid to patrons wagering on such manager's sports wagering

plus all voided wagers and excise taxes on sports wagering paid pursuant to federal law, exceeds the manager's total bets accepted from sports wagering by patrons. The negative amount of sports wagering revenues shall not be applied back to an earlier week and moneys previously received by the Kansas lottery will not be refunded unless the manager ceases to manage sports wagering and the last return reported negative sports wagering revenues.";

Also on page 59, in line 10, by striking "(c)" and inserting "(d)"; also in line 10, by striking "monthly" and inserting "weekly"; in line 19, by striking "At least once each month,"; in line 20, by striking "from" and inserting "remaining in";

On page 60, following line 12, by inserting:

"New Sec. 13. (a) There is hereby established in the state treasury the attracting professional sports to Kansas fund. The attracting professional sports to Kansas fund shall be administered by the state finance council. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the state finance council, or the chairperson's designee, for the purpose set forth in this section.

(b) The state finance council is authorized to pledge all or a portion of the funds held in the attracting professional sports to Kansas fund or sports wagering revenues credited to or to be credited to the attracting professional sports to Kansas fund for the benefit of any professional sports team and used to pay the principal or interest on any bonds issued by the state or any municipality, including, but not limited to, bonds issued pursuant to K.S.A. 12-17,160, et seq., 12-1770, et. seq., or 12-1740, et seq, and amendments thereto, which also shall include any such financing structured as pay-as-you-go, issued to fund the construction, rehabilitation, revitalization or expansion of a professional sports team's primary facility or any other ancillary development to such primary facility.

(c) Each month, the state finance council shall certify to the director of accounts and reports the amount of moneys held in the attracting professional sports to Kansas fund that are in excess of the amount necessary for the purposes described in subsection (b). Upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the attracting professional sports to Kansas fund to the lottery operating fund established in K.S.A. 74-8711, and amendments thereto.";

Also on page 60, in line 14, by striking "existinggaming" and inserting "existing gaming"; in line 16, by striking "17" and inserting "18"; in line 21, by striking "orother" and inserting "or other"; in line 24, by striking "operatedand";

On page 61, in line 42, by striking "14" and inserting "15";

On page 62, in line 9, by striking "14" and inserting "15"; in line 12, by striking "14" and inserting "15";

On page 64, in line 15, by striking "14 and"; also in line 15, after "15" by inserting "and 16"; in line 17, by striking "14 and"; also in line 17, after "15" by inserting "and 16"; in line 26, by striking "orthe" and inserting "or the";

On page 69, following line 14, by inserting:

"Sec. 22. K.S.A. 2021 Supp. 21-6508 is hereby amended to read as follows: 21-6508. (a) Tampering with a sports contest is seeking to influence a sports participant or sports official, or tampering with any animal or equipment or other thing involved in the conduct or operation of a sports contest, in a manner known to be contrary to the rules

and usages governing such contest and with intent to influence the outcome of such contest.

(b) Tampering with a sports contest is a severity level-9~~g~~, nonperson felony.";

Also on page 69, in line 17, by striking "17" and inserting "18"; in line 34, after "(b)" by inserting ""Auto racetrack facility" means the same as defined in K.S.A. 2021 Supp. 12-17,162, and amendments thereto, and that is located in Wyandotte county with a minimum investment of \$50,000,000 and is in operation on July 1, 2022.

(c)";

On page 70, in line 32, by striking all after "means"; by striking all in lines 33 through 35; in line 36, by striking all before the period and inserting "an integrated system of hardware, software and applications, including mobile applications and servers, through which sports wagering may be made available to persons physically located within the state of Kansas at the time of submitting the wager to a sports wagering manager over the internet or wireless services as defined in K.S.A. 66-2019, and amendments thereto, including, but not limited to, through websites and mobile device applications";

On page 71, in line 35, by striking ", as of January 1, 2007,"; in line 36, by striking all after "at"; by striking all in line 37; in line 38, by striking all before the period and inserting "any licensed gaming facilities in the United States";

On page 77, in line 13, after "wagers" by inserting ", federal excise taxes, free plays or other promotional credits";

On page 79, in line 17, by striking "13" and inserting "14"; in line 23, by striking "and"; following line 25, by inserting:

"(D) permitting each lottery gaming facility manager, or such manager's contracted parties, including any approved interactive sports wagering platform, to have employees located outside the state of Kansas so that all job functions will conform with 18 U.S.C. § 1081 et seq.;

(E) permitting the establishment of online sports wagering accounts held by a lottery gaming facility manager as approved by the Kansas lottery and preestablished online accounts from other states to be accessed within the borders of Kansas so that revenue is recorded correctly and all other Kansas online rules are followed; and

(F) allowing lottery gaming facility managers to carry over negative amounts to returns filed for subsequent weeks when sports wagering revenues for a week are a negative number because the sum of the winnings paid to patrons wagering on the manager's sports wagering plus all voided wagers and excise taxes on sports wagering paid pursuant to federal law exceeds the manager's total bets accepted from sports wagering by patrons. The negative amounts of sports wagering revenues shall not be carried back to an earlier week and moneys previously received by the lottery will not be refunded, except if the manager ceases to manage sports wagering and the last return reported negative adjusted gross receipts.";

On page 80, in line 32, by striking "and"; in line 33, after "(9)" by inserting "transfers to the attracting professional sports to Kansas fund of the state finance council pursuant to subsection (h); and

(10)";

On page 81, following line 31, by inserting:

"(h) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 80% of the

remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the attracting professional sports to Kansas fund established in section 13, and amendments thereto.";

On page 83, in line 21, by striking "13" and inserting "14";

On page 88, in line 17, by striking "operating and"; in line 22, by striking all after "include"; in line 23, by striking all before "receive" and inserting "a provision for the state to"; also in line 23, by striking "20%" and inserting "10%"; in line 24, by striking all after "facility"; by striking all in lines 25 and 26; in line 27, by striking all before the period and inserting "manager";

On page 89, in line 31, by striking all after "to"; in line 36, by striking "operate and";

On page 91, in line 13, by striking all after "(3)"; by striking all in lines 14 through 26; in line 27, by striking all before the semicolon and inserting "(A) a certification requirement and enforcement procedure for:

(i) Employees of a lottery gaming facility manager or another entity owned by the lottery gaming facility manager's parent company that are directly involved in the management of sports wagering managed by such manager; and

(ii) those persons who propose to contract with a lottery gaming facility manager in an amount that exceeds \$250,000 per year for the provision of goods or services related to sports wagering, including any interactive sports wagering platform requested by a lottery gaming facility manager under section 2, and amendments thereto; and

(B) such certification requirement shall include compliance with such security, fitness and background investigations and standards as the executive director deems necessary to determine whether such person's reputation, habits or associations pose a threat to the public interest of the state or to the reputation of, or effective regulation and control of, sports wagering conducted by the lottery gaming facility. Such certification shall be valid for one year from the date of issuance";

On page 92, in line 12, by striking all after "(b)"; by striking all in lines 13 through 16; in line 17, by striking "(c)";

On page 93, following line 36, by inserting:

"Sec. 32. K.S.A. 74-8756 is hereby amended to read as follows: 74-8756. (a) Wagers shall be received only from a person at the location where the electronic gaming machine or lottery facility game is authorized pursuant to the Kansas expanded lottery act. No person present at such location shall place or attempt to place a wager on behalf of another person who is not present at such location.

(b) No employee or contractor of, or other person who has any legal affiliation with, a racetrack gaming facility manager shall loan money to or otherwise extend credit to patrons of the parimutuel licensee.

(c) (1) Except as otherwise provided, no employee or contractor of, or other person who has any legal affiliation with, a lottery gaming facility manager shall loan money to or otherwise extend credit to patrons of a lottery gaming facility.

(2) A patron of a lottery gaming facility may fund an account held by a lottery gaming facility manager for the payment of sports wagers and pay for sports wagers through the use of:

(A) Cash and cash equivalents;

(B) electronic bank transfers of money, including transfers through third parties;

(C) bank and wire transfers of money;

(D) debit and credit cards;

(E) online and mobile application payment systems that support online money transfers;

(F) promotional funds provided by a lottery gaming facility manager; and

(G) any other payment method approved by the Kansas lottery.

(3) Nothing in this subsection shall be construed to prohibit any lottery gaming facility manager from obtaining insurance or check guarantee services to protect against any loss as a result of any check that is returned or otherwise not honored due to a stop payment order or nonsufficient funds.

(d) Violation of this section is a class A nonperson misdemeanor upon a conviction for a first offense. Violation of this section is a severity level 9, nonperson felony upon conviction for a second or subsequent offense.";

On page 94, by striking all in line 24; in line 25, by striking "facility" and inserting "sports wager"; in line 28, by striking the second "or"; by striking all in lines 29 through 43;

On page 95, by striking all in lines 1 through 3; in line 4, by striking all before the period and inserting:

"(3) a lottery gaming facility manager, any director, officer, owner or employee of such manager or any relative living in the same household as such persons who places any wager with the manager at the manager's location or through the manager's interactive sports wagering platform;

(4) an interactive sports wagering platform, any director, officer, owner or employee of such platform or any relative living in the same household as such persons who places any wager with the manager through such platform or at the manager's location, except that nothing in this paragraph shall be construed to prohibit any such person from placing any wager through a lottery gaming facility manager or interactive sports wagering platform with which such person has no affiliation;

(5) any owner, officer, athlete, coach or other employee of a team or any person participating as an individual in any sporting event; or

(6) any director, officer or employee of a player or referee union";

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

On page 96, following line 14, by inserting:

"Sec. 36. K.S.A. 74-8772 is hereby amended to read as follows: 74-8772. On or before January 1, 2023, the Kansas racing and gaming commission shall adopt such permanent rules and regulations as the commission deems necessary to carry out the duties and functions of the commission pursuant to the Kansas expanded lottery act. Such Temporary rules and regulations may be adopted by the commission without being subject to the provisions and requirements of K.S.A. 77-415 through 77-438, and amendments thereto, but shall be subject to approval by the attorney general as to legality and shall be filed with the secretary of state and published in the Kansas register. Temporary and permanent rules and regulations shall include, but not be limited to, rules and regulations:

(a) Promoting the integrity of the gaming and finances of lottery gaming facilities and racetrack gaming facilities and shall meet or exceed industry standards for monitoring and controlling the gaming and finances of lottery gaming facility operations and racetrack gaming facility operations and shall give the Kansas racing



and gaming commission sufficient authority to monitor and control the gaming operation and to ensure its integrity and security;

(b) prescribing the on-site security arrangements for lottery gaming facilities and racetrack gaming facilities;

(c) requiring reporting of information about any lottery gaming facility manager or racetrack gaming facility manager, and its employees, vendors and finances, necessary or desirable to ensure the security of lottery gaming facility and racetrack gaming facility operations. None of the information disclosed pursuant to this subsection shall be subject to disclosure under the Kansas open records act;

(d) requiring reporting and auditing of financial information of lottery gaming facility managers and racetrack gaming facility managers, including, but not limited to, the reporting of profits or losses incurred by lottery gaming facility managers and racetrack gaming facility managers and the reporting of such other information as the Kansas racing and gaming commission requires to determine compliance with the Kansas expanded lottery act and rules and regulations adopted hereunder. None of the information disclosed pursuant to this subsection shall be subject to disclosure under the Kansas open records act; and

(e) provisions for oversight of all lottery gaming facility operations and racetrack gaming facility operations, including, but not limited to, oversight of internal controls; oversight of security of facilities; performance of background investigations, determination of qualifications and credentialing of employees, contractors and agents of lottery gaming facility managers, ancillary lottery gaming facility operations and racetrack gaming facilities; auditing of lottery gaming facility revenues and net electronic gaming machine income of racetrack gaming facilities; enforcement of all state laws; and maintenance of the integrity of lottery gaming facility and racetrack gaming facility operations.";

On page 112, in line 23, after "(f)" by inserting "On or before January 15, 2023, and each January 15 thereafter, the secretary for aging and disability services shall prepare and submit a report on expenditures from the problem gambling and addictions grant fund to the standing committees on federal and state affairs of the senate and house of representatives.

(g)";

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

Also on page 112, in line 42, after the fourth comma by inserting "74-8756,"; also in line 42, after the seventh comma by inserting "74-8772,";

On page 113, in line 1, by striking "and" and inserting a comma; also in line 1, after "21-6507" by inserting "and 21-6508";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, after the second comma by inserting "the attracting professional sports to Kansas fund,"; in line 14, after the seventh comma by inserting "74-8756,"; in line 15, after the third comma by inserting "74-8772,"; in line 16, by striking the third "and" and inserting a comma; in line 17, after "6507" by inserting "and 21-6508";

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

JOHN BARKER  
 TORY MARIE ARNBERGER-BLEW  
 LOUIS RUIZ  
*Conferees on part of House*

ROB OLSON  
 TOM PETERSEN  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

On motion of Rep. Barker, the conference committee report on **SB 84** was adopted.

On roll call, the vote was: Yeas 63; Nays 49; Present but not voting: 0; Absent or not voting: 13.

Yeas: Amyx, Anderson, Arnberger, Ballard, Barker, Blex, Burroughs, Byers, Carlson, Carmichael, W. Carpenter, Clayton, Clifford, Collins, Corbet, Croft, Curtis, Delperdang, Eplee, Fairchild, Featherston, Finch, Francis, Gartner, Haswood, Hawkins, Henderson, Highland, Hoheisel, Houser, Hoye, Kelly, Kessler, Kuether, Lynn, Meyer, Neelly, Neighbor, Ohaebosim, Osman, Penn, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ryckman, Samsel, Sawyer, Schreiber, Smith, A., Sutton, Tarwater, Thomas, Thompson, Vaughn, Waymaster, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Alcalá, Awerkamp, Baker, Bergkamp, Bergquist, Burris, Carlin, Clark, Dodson, M., Donohoe, Ellis, Esau, French, Garber, Helgerson, Highberger, Hoffman, Howe, Howell, Howerton, Huebert, Humphries, Jacobs, T. Johnson, Landwehr, Lee-Hahn, Long, Mason, Miller, Minnix, Murphy, Newland, Orr, Ousley, Owens, Proctor, Rhiley, Ruiz, S., Sanders, Seiwert, Smith, C., Smith, E., Stogsdill, Toplikar, Turner, Waggoner, Wasinger, Weigel, Wheeler.

Present but not voting: None.

Absent or not voting: Borjon, Coleman, Concannon, Estes, Finney, Helmer, S. Johnson, Moser, F. Patton, Poetter, Schmidt, Victors, Winn.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **Sub for SB 84**. I don't view this legislation as being ideal, because ideally I believe that we should simply have a free market on the issue of gambling. Ideally, I would support abolishing state-owned casinos and simply allowing companies and individuals to open up private casinos. However, I still believe that allowing people to gamble on sports within a state-run system is better for the cause of liberty than prohibiting gambling all together. Prohibiting people from engaging in activities that don't violate anyone else's rights is incompatible with the cause of liberty and limited government. – BRETT FAIRCHILD

MR. SPEAKER: I vote Nay on **SB 84**. Gambling encourages the sins of greed and covetousness and promotes mismanagement of possessions entrusted to us by God. Gambling undermines absolute reliance on God for his provision. Gambling is a potentially addictive behavior, threatens the welfare of our neighbor and militates against the common good. This bill will have negative impacts on families, communities, and our overall society. Instead of creating wealth, this bill will allow the extraction of wealth from Kansans. With the previously stated reasons, and with 61% of Americans living paycheck to paycheck, how can we justify even more gambling? – STEVEN K. HOWE, CHARLOTTE ESAU

On motion of Rep. Hawkins, the House recessed until 12:45 a.m.

---

#### LATE NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2387**.

The Senate adopts the Conference Committee report on **SB 58**.

The Senate adopts the Conference Committee report on **SB 160**.

The Senate adopts the Conference Committee report on **S Sub for HB 2056**.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On emergency motion of Rep. Hawkins, **HCR 5036**, as follows, was introduced and adopted:

#### HOUSE CONCURRENT RESOLUTION No. **HCR 5036** –

by Representatives Ryckman, Hawkins and Sawyer

**HCR 5036** – A CONCURRENT RESOLUTION extending the 2022 regular session of the Legislature beyond 90 calendar days; providing for the adjournment of the Senate and House of Representatives for a period of time during such regular session.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the 2022 regular session of the Legislature shall be extended beyond 90 calendar days; and

*Be it further resolved:* That the legislature shall adjourn at the close of business of the daily session convened on April 1, 2022, and shall reconvene on April 25, 2022; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

**REPORT ON ENGROSSED BILLS**

**HB 2005, HB 2478, HB 2595**, reported correctly engrossed April 1, 2022.

**REPORT ON RE-ENGROSSED BILLS**

**HB 2456** reported correctly re-engrossed April 1, 2022.

**REPORT ON ENROLLED BILLS**

**HB 2386, HB 2564, HB 2607, HB 2717** reported correctly enrolled, properly signed and presented to the Governor on April 1, 2022.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Monday, April 25, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

