

STATE OF KANSAS

**2023 SESSION LAWS
OF KANSAS
VOL. 2**

[Prepared in accordance with K.S.A. 45-310]

PASSED DURING THE 2023 REGULAR
SESSION OF THE LEGISLATURE OF
THE STATE OF KANSAS

Date of Publication of this Volume
July 1, 2023

AUTHENTICATION

STATE OF KANSAS OFFICE OF SECRETARY OF STATE

I, Scott Schwab, Secretary of State of the state of Kansas, do hereby certify that the printed acts contained in this volume are true and correct copies of enrolled laws or resolutions which were passed during the 2023 regular session of the Legislature of the State of Kansas, begun on the 9th day of January, AD 2023, and concluded on the 28th day of April, AD 2023; and I further certify that all laws contained in this volume which took effect and went into force on and after publication in the *Kansas Register* were so published (on the date thereto annexed) as provided by law; and I further certify that all laws contained in this volume will take effect and be in force on and after the 1st day of July, AD 2023, except when otherwise provided.

Given under my hand and seal this 1st day of July, AD 2023.

(SEAL)

SCOTT SCHWAB
Secretary of State

EXPLANATORY NOTES

Material added to an existing section of the statute is printed in italic type. Material deleted from an existing section of the statute is printed in canceled type.

In bills which contain entirely new sections together with amendments to existing sections, the new sections are noted with the word “new” at the beginning of such sections.

An enrolled bill which is new in its entirety is noted with an asterisk (*) by the bill number and is printed in its original form.

Approval and publication dates are included.

Chapter numbers are assigned chronologically, based on the date the bill is signed by the governor. The bill index, subject index, and list of statutes repealed or amended will assist you in locating bills of interest.

NOTICE

The price for the Session Laws is set by the Secretary of State in accordance with state law. Additional copies of this publication may be obtained from:

Scott Schwab
Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
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CHAPTER 82

HOUSE BILL No. 2184
(Amended by Chapter 97)

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AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; authorizing and directing payment of cer-

tain claims against the state; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections.

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

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

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

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

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

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

Jeremy Johnson #71992
Hutchinson Correctional Facility
P.O. Box 1568
Hutchinson, KS 67504\$300.00

Mathew McDaniel #98722
Larned Correctional and Mental Health Facility
1318 KS Hwy #264
Larned, KS 67550.....\$29.22

Tarrance Noel #122162
El Dorado Correctional Facility
P.O. Box 311
El Dorado, KS 67042\$35.65

Sean McKenzie #104238
El Dorado Correctional Facility
P.O. Box 311
El Dorado, KS 67042\$22.95

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – fa-

ilities operations account of the state general fund for lost property to the following claimant:

John Stenberg #113332
 Ellsworth Correctional Facility
 P.O. Box 107
 Ellsworth, KS 67439\$21.18

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

Christopher Kern #123544
 Larned Mental Health Correctional Facility
 1318 KS Hwy 264
 Larned, KS 67550.....\$59.43

Luis Rojas-Marceleno #94492
 El Dorado Correctional Facility
 P.O. Box 311
 El Dorado, KS 67042\$108.20

Anthony McRoberts #0117607
 Lansing Correctional Facility
 P.O. Box 2
 Lansing, KS 66043\$50.00

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

Terry Bowen #71399
 Lansing Correctional Facility
 P.O. Box 2
 Lansing, KS 66043\$250.00

Ray Floyd Garcia Jr. #6002627
 El Dorado Correctional Facility
 P.O. Box 311
 El Dorado, KS 67042\$315.00

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

Gary Ditges #25329
 Norton Correctional Facility

P.O. Box 546
 Norton, KS 67654.....\$50.00

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

Gary D. Marks #42191
 1301 KS Hwy 264
 Larned, KS 67550.....\$680.00

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

Mathew Ayres
 2 Will Ct.
 Halstead, KS 67056.....\$592.00

Engelbert Sama Ade
 6034 Painswick Dr.
 Aubrey, TX 76227.....\$5,713.54

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

Jamy Hurren
 P.O. Box 2985
 Salina, KS 67402.....\$1,607.15

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

Kenneth McGovern
 4029 Harvard Road
 Lawrence, KS 66049\$4,072.04

Michael Seastrom
 2009 SW Bowman Court
 Topeka, KS 66604.....\$1,989.45

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

Bohm Farm & Ranch, Inc.
 632 S. Broadway
 Salina, KS 67404.....\$1,119.58

Tom Geist 203 W Main St. Victoria, KS 67671.....	\$127.48
Johnson Feed, Inc. 305 W. Industrial Canton, SD 57013.....	\$2,854.33
Ottawa Bus Service, Inc. 1320 W. 149 th St. Olathe, KS 66061	\$772.20
Pat Ringler 2658 260 th Rd. Emporia, KS 66801	\$45.00
Mark Schmidt 906 W. 160 th St. Caldwell, KS 67022.....	\$60.84
Clyde Sutton 9503 170 th Rd. Ness City, KS 67560.....	\$359.64
Louis B. Vestring 9872 NE Stoney Crk Rd. Cassoday, KS 66842.....	\$1,585.66
Wichita Country Club P.O. Box 8105 Wichita, KS 67208.....	\$162.00

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

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

Sec. 9.

ABSTRACTERS' BOARD OF EXAMINERS

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

Abstracters' fee fund (016-00-2700-0100)	
For the fiscal year ending June 30, 2024	\$25,711
For the fiscal year ending June 30, 2025	\$25,723

Sec. 10.

BOARD OF ACCOUNTANCY

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

Board of accountancy fee fund (028-00-2701-0100)	
For the fiscal year ending June 30, 2024	\$482,372

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

For the fiscal year ending June 30, 2025	\$426,097
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Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,400.

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

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

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

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

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

Sec. 11.

STATE BANK COMMISSIONER

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

Sec. 12.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or

funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Bank commissioner fee fund (094-00-2811)	
For the fiscal year ending June 30, 2024	\$0
For the fiscal year ending June 30, 2025	\$0
Bank examination and investigation fund (094-00-2013-1010)	
For the fiscal year ending June 30, 2024	\$0
For the fiscal year ending June 30, 2025	\$0
Consumer education settlement fund (094-00-2560-2500)	
For the fiscal year ending June 30, 2024	\$0
For the fiscal year ending June 30, 2025	\$0
Litigation expense fund (094-00-2499-2499)	
For the fiscal year ending June 30, 2024	\$0
For the fiscal year ending June 30, 2025	\$0

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

Sec. 13.

KANSAS BOARD OF BARBERING

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

Sec. 14.

KANSAS BOARD OF BARBERING

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

Board of barbering fee fund (100-00-2704-0100)	
For the fiscal year ending June 30, 2024	\$197,899

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

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

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

Sec. 15.

BEHAVIORAL SCIENCES REGULATORY BOARD

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

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

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

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

Coronavirus relief fund (102-00-3753)

For the fiscal year ending June 30, 2024No limit
 For the fiscal year ending June 30, 2025No limit

[†]

Sec. 16.

STATE BOARD OF HEALING ARTS

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

Healing arts fee fund (105-00-2705-0100)
For the fiscal year ending June 30, 2024\$7,024,154

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

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

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

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

For the fiscal year ending June 30, 2024\$35,000
For the fiscal year ending June 30, 2025\$35,000

Sec. 17.

KANSAS STATE BOARD OF COSMETOLOGY

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

Cosmetology fee fund (149-00-2706-0100)
For the fiscal year ending June 30, 2024\$1,234,651

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

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

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

Sec. 18.

STATE DEPARTMENT OF CREDIT UNIONS

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

Credit union fee fund (159-00-2026-0100)
For the fiscal year ending June 30, 2024\$1,266,485

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

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

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

Sec. 19.

KANSAS DENTAL BOARD

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

Dental board fee fund (167-00-2708-0100)
For the fiscal year ending June 30, 2024\$560,000

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

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

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

Special litigation reserve fund (167-00-2749-2000)
For the fiscal year ending June 30, 2024 No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one

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

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

Sec. 20.

STATE BOARD OF MORTUARY ARTS

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

Mortuary arts fee fund (204-00-2709-0100)

For the fiscal year ending June 30, 2024\$322,934

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

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

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

Sec. 21.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

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

Hearing instrument board fee fund (266-00-2712-9900)

For the fiscal year ending June 30, 2024\$37,695

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

Hearing instrument litigation fund (266-00-2136-2136)

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

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

Sec. 22.

BOARD OF NURSING

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

Sec. 23.

BOARD OF NURSING

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

Board of nursing fee fund (482-00-2716-0200)

For the fiscal year ending June 30, 2024\$3,656,524

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

For the fiscal year ending June 30, 2025\$3,597,121

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

Gifts and grants fund (482-00-7346-4000)

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Education conference fund (482-00-2209-0100)

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Criminal background and fingerprinting fund (482-00-2745-2700)

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Sec. 24.

BOARD OF EXAMINERS IN OPTOMETRY

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

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

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

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

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

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

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

For the fiscal year ending June 30, 2024 No limit

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

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

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

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

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

Sec. 25.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 4(a) of chapter 97 of the 2022 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby decreased from \$3,273,406 to \$2,457,604.

[†]

Sec. 26.

STATE BOARD OF PHARMACY

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

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

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

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

For the fiscal year ending June 30, 2025\$3,478,845
Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$2,000.

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

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

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

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

For the fiscal year ending June 30, 2024 No limit
 For the fiscal year ending June 30, 2025 No limit
 Non-federal gifts and grants fund (531-00-7018-7000)

For the fiscal year ending June 30, 2024 No limit
Provided, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2024: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expen-

ditures from the non-federal gifts and grants fund for fiscal year 2024 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

For the fiscal year ending June 30, 2025 No limit
Provided, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2025: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2025 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

Strategic prevention framework for prescription

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

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Prescription drug overdose data-driven prevention

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

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

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

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

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

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

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

such certification to the director of the budget and the director of legislative research.

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

[†]

Sec. 27.

REAL ESTATE APPRAISAL BOARD

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

- Appraiser fee fund (543-00-2732-0100)
 - For the fiscal year ending June 30, 2024\$357,227
 - Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.
 - For the fiscal year ending June 30, 2025\$362,805
 - Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.
 - Federal registry clearing fund (543-00-7752-7000)
 - For the fiscal year ending June 30, 2024 No limit
 - For the fiscal year ending June 30, 2025 No limit
 - AMC federal registry clearing fund (543-00-7755-7755)
 - For the fiscal year ending June 30, 2024 No limit
 - For the fiscal year ending June 30, 2025 No limit
 - Special litigation reserve fund (543-00-2698-2698)
 - For the fiscal year ending June 30, 2024 No limit
- Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable oc-

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

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

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

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

Sec. 28.

KANSAS REAL ESTATE COMMISSION

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

Real estate fee fund (549-00-2721-0100)
For the fiscal year ending June 30, 2024\$1,256,331

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

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

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

Real estate recovery revolving fund (549-00-7368-4200)
For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Background investigation fee fund (549-00-2722-2700)
For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Special litigation reserve fund (549-00-2821-2821)
For the fiscal year ending June 30, 2024 No limit

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

For the fiscal year ending June 30, 2025 No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one

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

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

Sec. 29.

STATE BOARD OF TECHNICAL PROFESSIONS

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

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

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

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

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

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

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

For the fiscal year ending June 30, 2024No limit

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

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

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

Sec. 30.

STATE BOARD OF VETERINARY EXAMINERS

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

Veterinary examiners fee fund (700-00-2727-1100)
For the fiscal year ending June 30, 2024\$368,512

Provided, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$700.

For the fiscal year ending June 30, 2025\$373,203

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

Sec. 31.

GOVERNMENTAL ETHICS COMMISSION

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

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

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

For the fiscal year ending June 30, 2025\$492,389

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

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

Governmental ethics commission fee fund (247-00-2188-2000)

For the fiscal year ending June 30, 2024	No limit
For the fiscal year ending June 30, 2025	No limit

[†]

Sec. 32.

LEGISLATIVE COORDINATING COUNCIL

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

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

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

Sec. 33.

LEGISLATIVE COORDINATING COUNCIL

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

Legislative coordinating council – operations (422-00-1000-0100)	\$758,613
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Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Legislative research department – operations (425-00-1000-0103)	\$5,037,884
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Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Office of revisor of statutes – operations (579-00-1000-0103)\$4,451,103

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$71,000,000 from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$71,000,000 from the legislature employment security fund of the legislative coordinating council to Wichita state university and university of Kansas health collaboration fund of Wichita state university.

Sec. 34.

LEGISLATURE

(a) On the effective date of this act, of the \$17,085,667 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 24(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$2,000,000 is hereby lapsed.

(b) On the effective date of this act, of the \$6,327,654 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 24(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative information system account (428-00-1000-0300), the sum of \$1,512,661 is hereby lapsed.

Sec. 35.

LEGISLATURE

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

Operations (including official
 hospitality) (428-00-1000-0103)\$19,020,910

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee that are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2024 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2024: *And pro-*

vided 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 legislator’s name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information

system (428-00-1000-0300)\$6,723,214

Provided, That any unencumbered balance in the legislative information system account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from this account by the above agency to issue a request for proposal by August 1, 2023, for a constituent relationship management software service to assist in decreasing response time for both staff and constituents, to encrypt data in transit to ensure constituent privacy, track casework through completion, include integrations with existing systems and allow for proactive communication to all Kansas residents using prescriptive demographic information for targeted outreach, engagement and education: *And provided further*, That the above agency shall require any entity making a proposal to provide two or more references from state legislatures that use such services of a similar scope: *And provided further*, That the legislative coordinating council shall review and approve or reject a contract for such services on or before October 1, 2023, with the expectation that the service, if approved, will be implemented on or before December 1, 2023: *Provided, however*, The expenditure for such services shall not exceed \$100,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2024 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member’s first term as legislator during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator’s name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2024.

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

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

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of creating an interim study committee to take a holistic view of nursing facility reimbursement rate methodology, including cost center caps and an acuity-based add-on.

Sec. 36.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,477,553 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 26(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account (540-00-1000-0100), the sum of \$420,637 is hereby lapsed.

Sec. 37.

DIVISION OF POST AUDIT

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

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,534,391

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 38.

GOVERNOR’S DEPARTMENT

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

Governor’s department (252-00-1000-0503).....\$3,798,984

Provided, That any unencumbered balance in the governor’s department account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants (252-00-1000-0600)\$10,624,075

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for

official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers (252-00-1000-0610)\$2,745,827

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

CASA grant (252-00-1000-0630)\$595,000

(b) Expenditures may be made by the above agency for travel expenses of the governor’s spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2024, by subsection (a) from the state general fund in the governor’s department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor’s spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2024, by subsection (a) from the state general fund in the governor’s department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

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

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

Conversion of materials and equipment fund (252-00-2409)No limit

Kansas commission on disability concerns	
fee fund (252-00-2767).....	No limit
Residential substance abuse – federal fund (252-00-3006).....	No limit
Arrest grant – federal fund (252-00-3082).....	No limit
National criminal history improvement program –	
federal fund (252-00-3189).....	No limit
Violence against women grant –	
federal fund (252-00-3214).....	No limit
Project safe neighborhoods –	
federal fund (252-00-3217).....	No limit
Coverdell forensic science improvement –	
federal fund (252-00-3227).....	No limit
Crime victim assistance –	
federal fund (252-00-3260).....	No limit
Pandemic assistance/vaccine	
equity fund (252-00-3372).....	No limit
Access visitation grant –	
federal fund (252-00-3460).....	No limit
Battered women/family violence prevention –	
federal fund (252-00-3461).....	No limit
Sexual assault services program –	
federal fund (252-00-3465).....	No limit
Family violence prevention services –	
ARPA federal fund.....	No limit
Emergency rental assistance –	
federal fund (252-00-3646).....	No limit
Coronavirus emergency supplemental –	
federal fund (252-00-3671).....	No limit
Coronavirus relief fund –	
federal fund (252-00-3753).....	No limit
American rescue plan –	
state fiscal relief –	
federal fund (252-00-3756).....	No limit
Edward Byrne justice assistance grants –	
federal fund (252-00-3757).....	No limit
Prison rape elimination act –	
federal fund (252-00-3758).....	No limit
Homeowners’ assistance –	
federal fund (252-00-3759).....	No limit
John R Justice grant –	
federal fund (252-00-3802).....	No limit
Hispanic and Latino American affairs commission –	
donations fund (252-00-7236).....	No limit

Advisory commission on
 African-American affairs –
 donations fund (252-00-7242)..... No limit
 White collar crime fund No limit
 Sec. 39.

ATTORNEY GENERAL

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

Operating expenditures (082-00-1000-0103).....\$5,363,740

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

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

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

Abuse, neglect and

exploitation unit (082-00-1000-0500)\$362,410

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400)\$75,000

Child exchange and

visitation centers (082-00-1000-0450)\$128,000

Provided, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900)\$570,900

Office of inspector general (082-00-1000-0300)\$982,466

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

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all

moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

Bond transcript review

fee fund (082-00-2254-2300) No limit

Conversion of materials and

equipment fund (082-00-2405-2040)..... No limit

Attorney general's antitrust special

revenue fund (082-00-2506-2050) No limit

Medicaid fraud

reimbursement fund (082-00-9034-9040) No limit

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

Attorney general's antitrust

suspense fund (082-00-9002-9000) No limit

Attorney general's consumer protection

clearing fund (082-00-9003-9010) No limit

Attorney general's committee on crime

prevention fee fund (082-00-2113-2090)..... No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

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

Crime victims

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

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

Crime victims assistance fund (082-00-2598-2070)..... No limit
 Protection from abuse fund (082-00-2239-2030) No limit
 Crime victims grants and
 gifts fund (082-00-7340-7010)..... No limit

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

Kansas attorney general batterer
 intervention program
 certification fund (082-00-2103-2103)..... No limit
 Debt collection administration cost
 recovery fund (082-00-2305-2240) No limit

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

Medicaid fraud prosecution
 revolving fund (082-00-2641-2280) No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general’s office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 2022 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general’s office other than for medicaid fraud prosecution costs.

Interstate water
 litigation fund (082-00-2311-2295) No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....	No limit
Children's advocacy center fund (082-00-2654-2610)	No limit
Abuse, neglect and exploitation of people with disabilities unit grant acceptance fund (082-00-2482-2500)	No limit
Concealed weapon licensure fund (082-00-2450-2400).....	No limit
Tobacco master settlement agreement compliance fund (082-00-2383-2320).....	No limit
Sexually violent predator expense fund (082-00-2379-2310)	No limit
County law enforcement equipment fund (082-00-2470-2470).....	No limit
Child exchange and visiting centers fund (082-00-2579-2250).....	No limit
Roofing contractor registration fund (082-00-2774-2774).....	No limit
State medicaid fraud control unit – federal fund (082-00-3060-3060).....	No limit
Com def sol – violence against women federal fund (082-00-3082-3082).....	No limit
Crime victims compensation federal fund (082-00-3133-3020)	No limit
Ed Byrne state/local law enforcement federal fund (082-00-3213-3213)	No limit
Violence against women – ARRA federal fund (082-00-3214-3212).....	No limit
Comm prsct/project safe neighborhood federal fund (082-00-3217-3217)	No limit
Public safety prtnt/comm pol fund (082-00-3218-3218)	No limit
Anti-gang initiative federal fund (082-00-3229-3229)	No limit
Alcohol impaired driving cntrmsr federal fund (082-00-3247-3247)	No limit
Children's justice grant federal fund (082-00-3381-3381)	No limit
Sexual assault kit initiative federal fund (082-00-3416-3416)	No limit
Ed Byrne memorial JAG – ARRA federal fund (082-00-3455-3455)	No limit
Medicaid indirect cost federal fund (082-00-3919-3919).....	No limit

Federal forfeiture fund (082-00-3940-3940).....	No limit
SSA fraud prevention	
federal fund (082-00-2174-2175).....	No limit
False claims litigation	
revolving fund (082-00-2650-2600)	No limit
<i>Provided</i> , That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 75-7501 et seq., and amendments thereto.	
Ed Byrne memorial justice assistance grant	
federal fund (082-00-3057-3057)	No limit
911 state maintenance fund (082-00-2747-2447)	No limit
DOT prohibit	
racial profiling (082-00-3566-3566)	No limit
Human trafficking victim	
assistance fund (082-00-2775-2775)	No limit
Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open	
government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction	
fee fund (082-00-2085-2100)	No limit
Bail enforcement agents	
fee fund (082-00-2259-2259)	No limit
Fraud and abuse criminal	
prosecution fund (082-00-2262-2262)	No limit
Attorney general's state agency	
representation fund (082-00-6125-6125).....	No limit
State medicaid fraud	
forfeiture fund (082-00-2822-2822).....	No limit
Charitable organizations	
fee fund (082-00-2863-2863)	No limit
Kansas fights addiction fund (082-00-2826-2826)	No limit
<i>Provided</i> , That, notwithstanding K.S.A. 2022 Supp. 76-776, and amendments thereto, expenditures shall be made from the Kansas fights addiction fund to include under the Kansas fights addiction act as a qualified applicant, as defined in K.S.A. 2022 Supp. 75-776, and amendments thereto, any for-profit private entity that provides services for the purpose of preventing, reducing, treating or otherwise abating or remediating substance abuse or addiction and that has released its legal claims arising from covered conduct against each defendant that is required by opioid litigation to pay into the fund.	
Municipalities fight	
addiction fund (082-00-2838-2838)	No limit

Coronavirus relief fund (082-00-3753-3753) No limit

(c) During the fiscal year ending June 30, 2024, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

(e) Notwithstanding the provisions of any other statute, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from the tobacco master settlement agreement compliance fund (082-00-2383-2320), expenditures may be made by the above agency from such fund for the purposes of performing the powers, duties and functions pursuant to K.S.A. 75-772, and amendments thereto.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund (365-00-7000-2000) to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(g) Notwithstanding the provisions of K.S.A. 75-769, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, to set legal representation charges for state agencies at a rate exceeding \$100 per hour.

(h) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys in the state agency representation fund (082-00-2261-2261) of the attorney general to the attorney general's state agency representation fund (082-00-6125-6125) of the attorney general. On July 1, 2023, all liabilities of state agency representation fund are hereby transferred to and imposed on the attorney general's state agency representation fund and the state agency representation fund is hereby abolished.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys in the private

gifts fund (082-00-7300-7000) of the attorney general to the crime victims grants and gifts fund (082-00-7340-7010) of the attorney general. On July 1, 2023, all liabilities of private gifts fund are hereby transferred to and imposed on the crime victims grants and gifts fund, and the private gifts fund is hereby abolished.

Sec. 40.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit	
fee fund (622-00-2225).....	No limit
HAVA ELVIS fund (622-00-2353).....	No limit
Conversion of materials and	
equipment fund (622-00-2418).....	No limit
Information and services	
fee fund (622-00-2430).....	No limit

Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund (622-00-2619).....	No limit
Uniform commercial code	
fee fund (622-00-2664).....	No limit
Technology communication fee fund (622-00-2672).....	No limit
Athlete agent registration fee fund (622-00-2674)	No limit
Democracy fund (622-00-2702)	No limit

Provided, That all expenditures from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Help America vote act federal fund (622-00-3091).....	No limit
HAVA title I federal fund (622-00-3283).....	No limit
HAVA election security fraud 2018 (622-00-3956).....	No limit
State flag and banner fund (622-00-5130).....	No limit
Secretary of state fee refund fund (622-00-9047).....	No limit
Electronic voting machine	
examination fund (622-00-9101).....	No limit
Credit card clearing fund (622-00-9434).....	No limit
Suspense fund (622-00-9046)	No limit
Prepaid services fund (622-00-9114).....	No limit

(b) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, in addition to the other purposes for which

expenditures may be made from any special revenue fund or funds for fiscal year 2024 by the above agency by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2024 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On or before the 10th day of each month commencing July 1, 2023, during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the democracy fund interest earnings based on:

- (1) The average daily balance of moneys in the democracy fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state general fund to the democracy fund (622-00-2702) of the secretary of state.

Sec. 41.

STATE TREASURER

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

Water supply storage debt payment for
 Milford and Perry reservoirs\$52,000,000

Provided, That notwithstanding the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or any other statute, the state treasurer shall invest all moneys in the water supply storage debt payment for Milford and Perry reservoirs account in United States treasury bills until the interest rate for such treasury bills is equal to or less than the interest rate for water supply storage debt payments as determined by the state treasurer: Provided further, That upon determination of the state treasurer that the United States treasury bill rate is equal to or less than the interest rate on such storage debt, expenditures shall be made by the above agency from the water supply storage debt payment for Milford and Perry reservoirs account during fiscal year 2023 for the payment of water supply storage debt for Milford and Perry reservoirs: Provided, however, That, if, during the fiscal year ending June 30, 2023, the director of the Kansas water office certifies to the state treasurer

and the governor that there is a need for the Kansas water office to call the water supply storage into service, the state finance council shall authorize the state treasurer to immediately make expenditures from the water supply storage debt payment for Milford and Perry reservoirs account for the payment of water supply storage debt for Milford and Perry reservoirs: And provided further, That such state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such authorization also may be given while the legislature is in session: And provided further, That at the same time such certification is transmitted to the state treasurer and the governor, the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 42.

STATE TREASURER

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

Alternatives to abortion program.....\$2,000,000

Provided, That expenditures shall be made from the alternatives to abortion program account to establish a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: *Provided further*, That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and support groups in maternity homes: *And provided further*, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: *And provided further*, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: *And provided further*, That program services shall be available to participants only during pregnancy and continuing for

up to 24 months after birth of the child: *And provided further*, That the state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion: *And provided further*, That such contract shall be for a term not longer than one year: *And provided further*, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the alternatives to abortion program: *And provided further*, That the state treasurer shall include as a condition of the contract with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2024, on the administration of the program during fiscal year 2024, including: The number of clients; the number of clients who participated in case management services; the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: *And provided further*, That the state treasurer shall establish the alternatives to abortion public awareness program to be administered by the same nonprofit organization contracted with to provide alternatives to abortion program services: *And provided further*, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion program services: *And provided further*, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available alternatives to abortion program services and nonprofit subcontractors that provide services: *And provided further*, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abor-

tion program services and subcontractors: *And provided further*, That, to the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private moneys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the alternatives to abortion program account to be expended for such programs: *Provided, however*, That the alternatives to abortion program and the alternatives to abortion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer

operating fund (670-00-2374-2300).....\$1,799,326

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act during fiscal year 2024, the state treasurer is hereby authorized and directed to credit the first amount equal to the expenditure limitation approved by this or other appropriation act of the legislature received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, Notwithstanding any provision of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, on June 30, 2024, the state treasurer shall certify any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000 to the director of accounts and reports, who shall transfer such certified amount from the state treasurer operating fund to the state general fund on June 30, 2024: *And provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2024 shall be credited as prescribed under the

uniform unclaimed property act: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2024 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400)	No limit
Bond services fee fund (670-00-2061-2500)	No limit
City bond finance fund (670-00-7654)	No limit
Local ad valorem tax reduction fund (670-00-7394-4800).....	No limit
County and city revenue sharing fund (670-00-7395-4900).....	No limit
Suspense fund (670-00-9054-9000).....	No limit
County and city retailers’ sales tax fund (670-00-7608-6000)	No limit
County and city compensating use tax fund (670-00-7667-6200).....	No limit
Local alcoholic liquor fund (670-00-7665-6100).....	No limit
Local alcoholic liquor equalization fund (670-00-7759-6500).....	No limit
Unclaimed property claims fund (670-00-7758-7700)	No limit
Unclaimed property expense fund (670-00-2362-2200)	No limit

Provided, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest tax fund (670-00-7602-6600)	No limit
Racing admissions tax fund (670-00-7670-6300)	No limit
Rental motor vehicle excise tax fund (670-00-7681-6800)	No limit
Transportation development district sales tax fund (670-00-7601-7000)	No limit
Redevelopment bond fund (670-00-7683-6900).....	No limit
Special qualified industrial manufacturer fund (670-00-9525-9525)	No limit
Kansas postsecondary education savings program trust fund (670-00-7241-7100).....	No limit
Kansas postsecondary education savings expense fund (670-00-2096-2000)	No limit
Conversion of materials and equipment fund (670-00-2461-2700).....	No limit

Tax increment financing revenue	
replacement fund (670-00-7391-4700)	No limit
Spirit bonds fund (670-00-9515-9515)	No limit
<i>Provided</i> , That, on the 15 th day of each month that commences during fiscal year 2024, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research; <i>Provided further</i> , That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund; <i>And provided further</i> , That, on or before the 10 th day of each month commencing during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month; <i>And provided further</i> , That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 74-50,136, and amendments thereto.	
Business machinery and equipment tax reduction	
assistance fund (670-00-7684-7680)	\$0
Telecommunications and railroad	
machinery and equipment tax reduction	
assistance fund (670-00-7685-7690)	\$0
Community improvement district sales	
tax fund (670-00-7610-7650)	No limit
Special economic	
revitalization fund (670-00-9520-9520)	No limit
Bioscience development and	
investment fund (670-00-9510-9510)	No limit
KS ABLE savings	
expense fund (670-00-2177-2177)	No limit
STAR bonds food sales tax revenue replacement	
fund (670-00-2878-2878).....	No limit
Other federal grants fund (670-00-3878-3878).....	No limit

Distinctive license plate

royalty fund (670-00-2885-2885) No limit

[†]

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

[†]

Sec. 43.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

[†]

[†]

Sec. 44.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

[†]

[†]

Sec. 45.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2026, is hereby reappropriated for fiscal year 2027: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

[†]

[†]

Sec. 46.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2027, is hereby reappropriated for fiscal year 2028: *Provided*, That during the fiscal year ending June 30, 2028, expenditures shall be made by the above agency from the water supply storage debt payment for Milford and Perry reservoirs account for the purpose of the payment of water supply storage debt for Milford and Perry reservoirs.

[†]

[†]

Sec. 47.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

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

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

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

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

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 2024 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

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

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

licensure fund (331-00-2665-2665)..... No limit

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

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

Investor education and

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

Provided, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$5,000.

Captive insurance regulatory and

supervision fund (331-00-2309-2309)..... No limit

State flexibility to stabilize the market grant

program fund (331-00-3648-3648)..... No limit

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

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2024 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2024 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) During the fiscal year ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of K.S.A. 40-103, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal year 2023 or 2024 as authorized by chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature to enhance, support, plan, implement or impose federal market reforms, changes or additions to essential health benefits or consumer protections under part A of title XXVII of the federal public health service act, including, but not limited to, the imposition of new health insurance mandates or consumer benefits on a health plan of any individual, group, governmental agency or entity, whether such health plan is insured or self-insured unless the legislature expressly consents to and approves of such action or actions by an act of the legislature.

Sec. 48.

HEALTH CARE STABILIZATION
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2024, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

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

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

Legal services and other

- claims expenses (270-00-7404-2300) No limit
- Claims and benefits (270-00-7404-2400) No limit

Sec. 49.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Municipal investment

- pool fund (671-00-7537-7000) No limit

Pooled money investment portfolio

- fee fund (671-00-2319-2000) No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2024, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2024, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the

investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 50.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

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

Sec. 51.

STATE BOARD OF INDIGENTS’
DEFENSE SERVICES

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

Assigned counsel expenditures (328-00-1000-0700)	\$1,299,184
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Sec. 52.

STATE BOARD OF INDIGENTS’
DEFENSE SERVICES

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

Operating expenditures (328-00-1000-0603)	\$26,151,802
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures for indigents’ defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state

board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700)\$20,672,309

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered: *And provided further*, That, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account for fiscal year 2024 to set the maximum rate of compensation of assigned counsel in fiscal year 2024 at \$120 per hour.

Capital defense operations (328-00-1000-0800)\$3,854,255

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the capital defense operations account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

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

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

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

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

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

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Indigents' defense

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

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

Inservice education workshop

fee fund (328-00-2186-2100)No limit

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

(c) During the fiscal year ending June 30, 2024, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2024 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the state board of indigents' defense services from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this act or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 to classify public defenders based on the level of cases such public defenders are assigned.

(e) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide a report to the senate committee on ways and means

and house committee on appropriations on or before January 1, 2024, regarding: (1) The number of cases handled by assigned counsel; (2) the total number of state attorneys in the agency; (3) the average tenure of such state attorneys over the last five years; (4) the fiscal year 2023 turn-over rate; and (5) any other information the above agency deems valuable to evaluate the effectiveness of the salary adjustments implemented over the last two fiscal years.

Sec. 53.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) of the state general fund for fiscal year 2025 to set the maximum rate of compensation of assigned counsel in fiscal year 2025 at \$120 per hour.

Sec. 54.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$17,328,850 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 16(a) of chapter 97 of the 2022 Session Laws of Kansas from the state general fund in the judiciary operations account (677-00-1000), the sum of \$1,944,998 is hereby lapsed.

Sec. 55.

JUDICIAL BRANCH

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

Judiciary operations (677-00-1000)\$178,722,057

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Byrne discretionary grants	
program fund (677-00-3654-3654).....	No limit
BJA veterans treatment court discretionary	
grant program fund (677-00-3922-3922).....	No limit
National crime history improvement	
program fund (677-00-3189-3189).....	No limit
Library report fee fund (677-00-2106-2000)	No limit
State and community highway safety –	
federal fund (677-00-3815-3815).....	No limit
Dispute resolution fund (677-00-2126-3500)	No limit
Judicial branch	
education fund (677-00-2324-1900)	No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

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 grant (677-00-2465-2465).....	No limit
Violence against women grant fund – ARRA (677-00-3214-3214).....	No limit
Judicial branch docket fee fund (677-00-2158-2158)	No limit
Electronic filing and management fund (677-00-2791-2791)	No limit
Coronavirus emergency supplemental fund (677-00-3671-3671)	No limit
Coronavirus relief fund (677-00-3753).....	No limit
Ed Byrne memorial justice assistance grant fund (677-00-3057)	No limit
Specialty court resources fund (677-00-2879-2879).....	No limit

Sec. 56.

**KANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

Family and children endowment

- account – family and children investment fund (365-00-7010-4000) No limit
- Non-retirement administration fund (365-00-2277) No limit

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2024, for the following specified purposes:

- Agency operations (365-00-7002-7400)\$26,196,961
- Provided*, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses (365-00-7002-8000)..... No limit

(c) On July 1, 2023, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d) (4), and amendments thereto, to be transferred on July 1, 2023, by the director of accounts and reports from the Kansas endowment for youth fund to the children’s initiatives fund is hereby increased to \$57,661,031.

Sec. 57.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2023, by section 45(a) of chapter 81 of the 2022 Session Laws of Kansas on the operating expenditures account (058-00-1000-0103) of the state general fund of the Kansas human rights commission is hereby increased from \$200 to \$400.

Sec. 58.

KANSAS HUMAN RIGHTS COMMISSION

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

- Operating expenditures (058-00-1000-0103).....\$1,074,268

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$500: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the Kansas human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund

or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- State and local fair employment practices –
- federal fund (058-00-3016-3000) No limit
- Education and training fund (058-00-2282-2000) No limit

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

Sec. 59.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Public service
- regulation fund (143-00-2019-0100)..... No limit
- Gas pipeline inspection
- fee fund (143-00-2023-1100) No limit
- Conservation fee fund (143-00-2130-2000) No limit

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

3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2024, 2025 and 2026.

- Abandoned oil and gas well fund (143-00-2143-2100)..... No limit
- Natural gas underground storage fee fund (143-00-2181-2120) No limit
- Inservice education workshop fee fund (143-00-2316-2300) No limit

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

- Facility conservation improvement program fund (000-00-2432-2400)..... No limit
- Energy grants management fund (000-00-2667) No limit
- Motor carrier license fees fund (143-00-2812-5500) No limit
- MPC for states and tribes – federal fund (143-00-3103-3103) No limit
- Energy efficiency revolving loan program – ARRA federal fund (000-00-3161)..... No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state

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

Special one-call –

federal fund (143-00-3477-3477)	No limit
Gas pipeline safety program –	
federal fund (143-00-3632-3000)	No limit
One call – federal fund (143-00-3633-3120)	No limit
Underground natural gas storage –	
federal fund (143-00-3639-3641)	No limit
Energy community revitalization –	
federal fund (143-00-3656-3656)	No limit
Energy conservation plan –	
federal fund (000-00-3682-3500)	No limit
Underground injection control class II –	
federal fund (143-00-3768-3700)	No limit
Unified carrier registration	
clearing fund (143-00-9062-9100)	No limit
Credit card clearing fund (143-00-9401-9400)	No limit
Suspense fund (143-00-9007-9000)	No limit

(b) Expenditures for the fiscal year ending June 30, 2024, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2024 shall be subject to the

competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Expenditures for the fiscal year ending June 30, 2024, by the state corporation commission from the public service regulation fund (143-00-2019-0100) for official hospitality shall not exceed \$2,030.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

Sec. 60.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 47(a) of chapter 81 of the 2022 Session Laws of Kansas on the utility regulatory fee fund (122-00-2030-2000) of the citizens' utility ratepayer board is hereby increased from \$1,197,623 to \$1,372,074.

(b) During the fiscal year ending June 30, 2023, the provisions of section 47(b) of chapter 81 of the 2022 Session Laws of Kansas concerning the utility regulatory fee fund shall apply to the increased expenditure limitation in subsection (a).

Sec. 61.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all

moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$1,238,441

(b) During the fiscal year ending June 30, 2024, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2024 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2023 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2023, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2023 may be expended from the utility regulatory fee fund for fiscal year 2024 pursuant to contracts for professional services and any such expenditure for fiscal year 2024 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2024.

Sec. 62.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the gubernatorial transition account (173-00-1000-0620) is hereby lapsed.

(b) On the effective date of this act, the \$15,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the cedar crest transition reimbursement account (173-00-1000-0630) is hereby lapsed.

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

Cedar crest living quarters expenses\$15,000

(d) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the health benefits administration clearing fund – remit admin service org (173-00-7746-7746) of the department of administration is hereby decreased from \$14,173,400 to \$9,386,000.

(e) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022

Session Laws of Kansas on the state workers compensation self-insurance fund (173-00-6170-6170) of the department of administration is hereby increased from \$4,709,909 to \$5,300,179.

(f) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the dependent care assistance program fund (173-00-7740-7799) of the department of administration is hereby decreased from \$257,284 to \$175,000.

(g) On the effective date of this act, the director of accounts and reports shall transfer \$600,000,000 from the state general fund to the budget stabilization fund (173-00-1600-1600): *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state general fund to the budget stabilization fund as prescribed by law.

(h) On the effective date of this act, of the \$325,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(k) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the SIBF – state building insurance account (173-00-8100-8920) the sum of \$112,297 is hereby lapsed.

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

Friends of cedar crest endowment fund\$0

Provided, That on or before the 10th day of each month commencing on the effective date of this act, during fiscal year 2023, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(j) On the effective date of this act, the director of accounts and reports shall transfer \$250,000 from the state general fund to the friends of cedar crest endowment fund.

Sec. 63.

DEPARTMENT OF ADMINISTRATION

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

Operating expenditures (173-00-1000-0200)\$4,875,166

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

fiscal year 2024: *Provided, however,* That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further,* That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520)\$1,997,630

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *And provided further,* That expenditures from this account for official hospitality shall not exceed \$2,000.

Office of public advocates (173-00-1000-0300)\$1,032,063

Provided, That any unencumbered balance in the office of public advocates account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however,* That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440)\$88,181,994

Any unencumbered balance in the following accounts as of June 30, 2023, are hereby reappropriated for fiscal year 2024: Long-term care ombudsman (173-00-1000-0580), Docking state office building rehabilitation and repair (173-00-1000-8545), salary adjustments (173-00-1000-0640) and cedar crest living quarters expenses (173-00-1000).

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,109,324

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

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

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

Human resource information systems cost
 recovery fund (173-00-6103-5700) No limit
 Budget fees fund (173-00-2191-2100)..... No limit

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

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

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

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

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

Budget equipment

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

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

rected 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 hospital-ity, 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 man-agement: *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 account-ing and training services recovery fund to provide general ledger, pay-roll reporting, utilities billing, data processing, and accounting services

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

Canceled warrants

payment fund (173-00-2645-2070)	No limit
State emergency fund (173-00-2581-2150).....	No limit
Bid and contract	
deposit fund (173-00-7609-7060).....	No limit
Federal withholding tax	
clearing fund (173-00-7701-7080)	No limit
Financial management system	
development fund (173-00-6135-6130)	No limit

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

State gaming revenues fund (173-00-9011-9100)	No limit
Financial management system development	
fund – on budget (173-00-2689-2689).....	No limit
Construction defects	
recovery fund (173-00-2632-2615)	No limit
Facilities conservation	
improvement fund (173-00-8745-4912)	No limit
State revolving fund services	
fee fund (173-00-2038-2700)	No limit
Conversion of materials and equipment – recycling	
program fund (173-00-2435-2031).....	No limit
Curtis office building maintenance	
reserve fund (173-00-2010-2190).....	No limit
Equipment lease purchase program administration	
clearing fund (173-00-8701-8000)	No limit
Suspense fund (173-00-9075-9220).....	No limit

Electronic funds transfer	
suspense fund (173-00-9175-9490).....	No limit
Surplus property program fund –	
on budget (173-00-2323-2300).....	No limit
Surplus property program fund –	
off budget (173-00-6150-6150).....	No limit
Older Americans act title IIIB	
long-term care ombudsman	
federal fund (173-00-3287-3287).....	No limit
Older Americans act title VII	
long-term care ombudsman	
federal fund (173-00-3358-3140).....	No limit
Long-term care ombudsman gift and	
grant fund (173-00-7258-7280).....	No limit
CRRSA 2021 LTC	
ombudsman fund (173-00-3680).....	No limit
Title XIX – long-term care ombudsman	
medical assistance program	
federal fund (173-00-3414-3414).....	No limit
Wireless enhanced 911	
grant fund (173-00-2577-2570).....	No limit
Bioscience development fund (173-00-2765-2703).....	No limit
Dwight D Eisenhower	
statue fund (173-00-7243-7243).....	No limit
Digital imaging program fund (173-00-6121-6121).....	No limit
<i>Provided</i> , That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.	
Preventive healthcare	
program fund (173-00-2556-2550).....	No limit
Cafeteria benefits fund (173-00-7720-7723).....	No limit
State workers compensation	
self-insurance fund (173-00-6170-6170).....	No limit
<i>Provided</i> , That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2024, for salaries and wages and other operating expenditures shall not exceed \$5,288,131.	
Dependent care assistance	
program fund (173-00-7740-7799).....	No limit
<i>Provided</i> , That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2024, for salaries and wages and other operating expenditures shall not exceed \$175,000.	
Non-state employer group	
benefit fund (173-00-7707-7710).....	No limit

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

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2024, for salaries and wages and other operating expenditures shall not exceed \$9,400,000.

Health insurance premium
 reserve fund (173-00-7350-7350)..... No limit
 Coronavirus relief fund (173-00-3753)..... No limit
 Kansas suffragist memorial fund (173-00-7245-7245)..... No limit
 Kansas gold star families
 memorial fund (173-00-7244-7244)..... No limit
 Friends of cedar crest endowment fund\$0

Provided, That on or before the 10th day of each month commencing on July 1, 2023, during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products, which may be purchased by such employees: *Provided, however*, That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided*, That upon notification of an employing agency’s receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further*, That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2023, the director of accounts and reports shall transfer \$210,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2024, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2024 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 75% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2024. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2024 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2024.

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

(i) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2024. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2024 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2024.

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

(j) During the fiscal year ending June 30, 2024, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the department of administration to another item of appropriation for fiscal year 2024 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

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

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

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

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2024, the following:

CIBF – state
building insurance (173-00-8600-8930).....\$550,000

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

(m) On July 1, 2023, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2024 shall be equal to and shall not exceed the older Americans act title VII: ombudsman award and 4.38% of the Kansas older Americans act title III: part B supportive services award.

(n) (1) (A) Prior to August 15, 2023, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th 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 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as

such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

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

(C) On August 15, 2023, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection, the appropriation for fiscal year 2024 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2024, by this or other appropriation act of the 2023 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection.

(2) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the regents agencies for fiscal year 2024.

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

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

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

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

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

(D) any fund of any regents agency in the state treasury, as determined by the director of the budget, that would experience financial or

administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

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

(o) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget that shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2024. All moneys transferred and credited to the expanded lottery act revenues fund during

fiscal year 2024 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2024.

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

(q) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2024. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2023 and fiscal year 2024 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2024 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2024.

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

the children's initiatives fund by the state treasurer in accordance with the notice thereof.

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

(r) (1) On July 1, 2023, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2024, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2024 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2024, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2024.

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

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

(s) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the state general fund to the friends of cedar crest endowment fund.

Sec. 64.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Friends of cedar crest endowment fund\$0

Provided, That on or before the 10th day of each month commencing on July 1, 2024, during fiscal year 2025, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 65.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

(a) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the information technology fund (335-00-6110-4030) as authorized by section 50(b) of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency may make expenditures from such moneys in an amount not to exceed \$1,000 for official hospitality.

Sec. 66.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

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

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

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

Kansas information security office (335-00-1000)\$5,750,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all

moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030) No limit
Provided, That expenditures from the information technology fund for official hospitality shall not exceed \$1,000; *Provided further*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology
reserve fund (335-00-6147-4080)..... No limit
Public safety broadband
services fund (335-00-2125-2125)..... No limit
GIS contracting
services fund (335-00-2163-2163)..... No limit
GIS contracting
services fund (335-00-6009-6009)..... No limit
State and local implementation grant –
federal fund (335-00-3576-3576)..... No limit
Coronavirus relief fund (335-00-3753-3772) No limit

Sec. 67.

KANSAS INFORMATION SECURITY OFFICE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030) No limit
Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

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

Sec. 68.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

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

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

Sec. 69.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the administrative hearings office fund (178-00-2582) for fiscal year 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2025 for a pay parity adjustment for the administrative law judges.

Sec. 70.

STATE BOARD OF TAX APPEALS

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

Operating expenditures (562-00-1000-0103)	\$44,060
IT modernization.....	\$365,000

Provided, For the fiscal year ending June 30, 2023, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology modernization projects, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such information technology modernization project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$365,000 as available from such funds to the special revenue fund of the state board of tax appeals and as designated by the executive director of the state board of tax appeals for the purpose of funding such informational technology modernization: *And provided further*, That on the effective date of such transfer, of the \$365,000 appropriated for the above agency for the fiscal year ending June 30, 2023, in the IT modernization account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of

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

Sec. 71.

STATE BOARD OF TAX APPEALS

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

Operating expenditures (562-00-1000-0103)\$1,019,036

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

Any unencumbered balance in the IT modernization account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200) No limit

BOTA filing fee fund (562-00-2240-2240)\$1,153,480

Sec. 72.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 57(b) of chapter 81 of the 2022 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby increased from \$51,031,404 to \$51,591,790.

[†]

Sec. 73.

DEPARTMENT OF REVENUE

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

Operating expenditures (565-00-1000-0303)\$16,018,235

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund

or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Sand royalty fund (565-00-2087-2010)..... No limit
- Division of vehicles
 - operating fund (565-00-2089-2020).....\$51,998,988

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2024: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

- Vehicle dealers and manufacturers
 - fee fund (565-00-2189-2030) No limit
- Kansas qualified agricultural ethyl alcohol
 - producer incentive fund (565-00-2215)..... No limit
- Division of vehicles
 - modernization fund (565-00-2390-2390)..... No limit
- Kansas retail dealer
 - incentive fund (565-00-2387-2380)..... No limit
- Conversion of materials and
 - equipment fund (565-00-2417-2050)..... No limit
- Forfeited property fee fund (565-00-2428-2200) No limit
- Setoff services revenue fund (565-00-2617-2080) No limit
- Publications fee fund (565-00-2663-2090)..... No limit
- Child support enforcement contractual
 - agreement fund (565-00-2683-2110)..... No limit
- County treasurers' vehicle licensing
 - fee fund (565-00-2687-2120) No limit
- Tax amnesty recovery fund (565-00-2462-2462)..... No limit
- Reappraisal reimbursement fund (565-00-2693-2130) No limit

Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state board of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund (565-00-2016-2000)..... No limit
Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions
 and attorney fees (565-00-2021-2060) No limit

Commercial vehicle information systems/network
 federal fund (565-00-3244-3244) No limit

Highway planning construction
 federal fund (565-00-3333-3333) No limit

State and community highway
 safety fund (565-00-3815-3815) No limit

Microfilming fund (565-00-2281-2270)..... No limit

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

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.

County and city retailers sales tax clearing fund – county	
and city sales tax (565-00-9190-9610)	No limit
City and county compensating use tax	
clearing fund (565-00-9191-9620)	No limit
County and city transient guest tax	
clearing fund (565-00-9192-9630)	No limit
Automated tax systems fund (565-00-2265-2265)	No limit
Dyed diesel fuel fee fund (565-00-2286-2280)	No limit
Electronic databases fee fund (565-00-2287-2180)	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund (565-00-2084-2140)	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of adminis-

tration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement

refund fund (565-00-9082-9501) No limit

Distinctive license plate fund (565-00-2232-2230)..... No limit

Repossessed certificates of title

fee fund (565-00-2015-2070) No limit

Hazmat fee fund (565-00-2365-2300)..... No limit

Intra-governmental service fund (565-00-6132-6101)..... No limit

Community improvement district sales tax

administration fund (565-00-7675-5300)..... No limit

Community improvement district sales tax

refund fund (565-00-9049-9455) No limit

Community improvement district sales tax

clearing fund (565-00-9189-9655) No limit

Drivers license first responders indicator

federal fund (565-00-3179-3179)..... No limit

Enforcing underage drinking

federal fund (565-00-3219-3219)..... No limit

FDA tobacco program

federal fund (565-00-3330-3330)..... No limit

Commercial vehicle administrative

system fund (565-00-2098-2098) No limit

State charitable gaming

regulation fund (565-00-2381-2385)..... No limit

Charitable gaming

refund fund (565-00-9001-9001) No limit

Commercial driver's license drive test

fee fund (565-00-2816-2816) No limit

MSA compliance fund (565-00-2274-2274)..... No limit

Alcoholic beverage control

modernization fund (565-00-2299-2299)..... No limit

Native American veterans' income

tax refund fund (565-00-9019-9019)..... No limit

Fleet rental vehicle

administration fund (565-00-2799-2799)..... No limit

Fleet rental vehicle clearing fund (565-00-9089-9089)..... No limit

Taxpayer notification costs fund (565-00-2852-2852)..... No limit

Kansas historic site fund (565-00-2872-2872)..... No limit

Gage park improvement authority

sales tax fund (565-00-2874-2874) No limit

Commercial driver

education fund (565-00-2876-2876)	No limit
License plate replacement fund	No limit

[†]

(c) On July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, the director of accounts and reports shall transfer \$12,636,725 from the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2023, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,240,000 from the Kansas endowment for youth fund (365-00-7000-2000) to the MSA compliance fund (565-00-2274-2274) of the department of revenue.

(g) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for license plate replacement, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such license plate replacements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer

an aggregate amount of up to \$9,800,000 as available from such funds to the special revenue fund of the above agency designated by the secretary of the above agency for the purpose of replacing license plates: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such license plate replacement: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such license plate replacement, such license plate replacement shall not be funded pursuant to this subsection.

Sec. 74.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 58(b) of chapter 81 of the 2022 Session Laws of Kansas to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2023, is hereby increased from \$67,990,000 to \$69,490,000.

Sec. 75.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund (450-00-7381).....	No limit
Lottery operating fund (450-00-5123).....	No limit
<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
Sports wagering receipts fund (450-00-2946-2946).....	No limit
Privilege fee repayment fund (450-00-2947-2947).....	No limit

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2023; and (2) an amount of not less than \$4,700,000 shall

be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2023, and on or before the 15th of each month thereafter through June 15, 2024: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2024: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2024, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2024 is equal to or more than \$69,990,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection shall be equal to or more than \$69,990,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed in this subsection shall include the total profit attributed to the special veterans benefit game under K.S.A. 74-8724, and amendments thereto: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2024.

(c) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2024, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

(d) Notwithstanding the provisions of K.S.A. 74-8724, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues

fund (173-00-9011-9100) the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2024: *Provided*, That, the transfer to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office for the fiscal year ending June 30, 2024, authorized by section 83(f) represents the total profits derived from the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto: *Provided further*, That on or before August 1, 2024, the executive director of the lottery shall report the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2024 to the director of the budget and the director of legislative research.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 74-8720, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide the name and address of all persons who claim a Kansas lottery prize of \$10,000 or more to the office of inspector general established under K.S.A. 75-7427, and amendments thereto: *Provided*, That the office of inspector general shall use information received pursuant to this subsection solely for the purposes of carrying out the powers, duties and functions prescribed by K.S.A. 75-7427, and amendments thereto: *Provided further*, That the office of inspector general shall not publicly disclose the identity of any lottery prize winner, including recipients for whom such prize affects such recipient's eligibility for or receipt of medical assistance.

Sec. 76.

KANSAS RACING AND
GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....	No limit
Racing reimbursable expense fund (553-00-2616-2600)	No limit
Racing applicant deposit fund (553-00-7383-7000).....	No limit
Kansas horse breeding development fund (553-00-2516-2300)	No limit

Kansas greyhound breeding

development fund (553-00-2601-2500) No limit

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 work-

shops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund (553-00-2734-2690).....No limit
Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2023, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2024 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2024 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2024, all payments for services provided by the Kansas bureau of investigation shall be paid by

the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2024 for the Kansas racing and gaming commission by this or other appropriation act of the 2023 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2024 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the department of commerce that is directed to be made on or before June 30, 2024, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2024, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2024, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are asso-

ciated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

Sec. 77.

DEPARTMENT OF COMMERCE

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

Advantage Kansas (300-00-1000)\$126,616

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

APEX (300-00-1000)\$6,250,000

Housing revolving loan program (300-00-1000)\$20,000,000

Provided, That any unencumbered balance in the rural housing revolving loan program account (252-00-1000-0640) of the governor’s department in excess of \$100 as of June 30, 2023, is hereby reappropriated to the housing revolving loan program account of the above agency for fiscal year 2024: *Provided further*, That expenditures may be made from the housing revolving loan program account to provide loans or grants to communities for moderate-and-low-income housing development, including infrastructure necessary to support that development: *And provided further*, That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from such moneys available in the housing revolving loan program account in an amount of not less than 50% for loans or grants to rural communities.

Airport authority payment\$2,950,000

Provided, That expenditures shall be made by the above agency from the airport authority payment account for a payment to an airport authority in a Kansas county with a population greater than 40,000 and less than 60,000 as of the 2020 census for the lease or purchase of a building and equipment: *Provided further*, That such airport authority payment shall be for attracting a firm that creates 100 or more jobs and has a payroll of \$15,000,000 or more: *And provided further*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the airport authority payment, may be expended at the discretion of the state in compliance with the office of management and budget’s uni-

form administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such airport authority payment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$2,950,000 as available from such funds to the special revenue fund of the above agency and as designated by the secretary of commerce for the purpose of funding such airport authority payment: *And provided further*, That on the effective date of such transfer, of the \$2,950,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the airport authority payment account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: KBA grant commitments account; moderate income housing account; and Kansas semiquincentennial commission support account.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Main street program (300-00-1900-1175).....\$836,484

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

Older Kansans employment program (300-00-1900-1140).....\$504,697

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the older Kansans employment program account is hereby reappropriated for fiscal year 2024.

Rural opportunity

zones program (300-00-1900-1150).....\$1,021,610

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2024.

Senior community service

employment program (300-00-1900-1160)\$8,071

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the senior community service employment program account is hereby reappropriated for fiscal year 2024.

Strong military

bases program (300-00-1900-1170)\$200,714

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the strong military bases program account is hereby reappropriated for fiscal year 2024.

Governor’s council of

economic advisors (300-00-1900-1185)\$198,014

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the governor’s council of economic advisors account is hereby reappropriated for fiscal year 2024.

Creative arts industries

commission (300-00-1900-1188).....\$1,009,403

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the creative arts industries commission account is hereby reappropriated for fiscal year 2024.

Operating grant (including

official hospitality) (300-00-1900-1110)\$9,205,724

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants (300-00-1900-1190)\$500,000

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

Build up Kansas (300-00-1900-1230)\$2,625,000

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

Community development (300-00-1900-1240).....\$660,219

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

International trade (300-00-1900-1250).....\$1,412,030

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

Travel and tourism

operating expenditures (300-00-1900-1901)\$4,843,361

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the travel and tourism operating expenditures account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$4,000.

Reemployment implementation (300-00-1900-1260)\$96,681

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

KIT/KIR programs (300-00-1900-1280)\$2,000,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the KIT/KIR programs account is hereby reappropriated for fiscal year 2024.

Registered apprenticeship (300-00-1900-1290).....\$1,000,000

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

Office of broadband development (300-00-1900-1270)\$1,015,304

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

Small business R&D grants (300-00-1900-1300).....\$1,000,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the small business R&D grants account is hereby reappropriated for fiscal year 2024.

Work-based learning (300-00-1900-1310).....\$714,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the work-based learning account is hereby reappropriated for fiscal year 2024.

Kansas workforce marketing (300-00-1900)\$2,000,000

HEAL grants (300-00-1900).....\$1,500,000

Emergency HEAL grants (300-00-1900).....	\$500,000
Rural champions (300-00-1900)	\$150,000
Sunflower summer program	\$3,000,000

Provided, That the above agency shall expend moneys in such account to recruit and add new venues geographically located across the state to participate in the program: *Provided further*, That if a participating venue does not require an admission price or requests a small donation for admission, then the above agency shall reimburse such venue \$5 for each program ticket used for admission to such venue.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467)	No limit
Kan-grow engineering fund – KU (300-00-2494-2494).....	\$3,500,000
Kan-grow engineering fund – KSU (300-00-2494-2495).....	\$3,500,000
Kan-grow engineering fund – WSU (300-00-2494-2496).....	\$3,500,000
Kansas creative arts industries commission special gifts fund (300-00-7004-7004).....	No limit
Governor’s council of economic advisors private operations fund (300-00-2761-2701)	No limit
Publication and other sales fund (300-00-2048)	No limit
Conversion of equipment and materials fund (300-00-2411-2220).....	No limit
Conference registration and disbursement fund (300-00-2049)	No limit
Reimbursement and recovery fund (300-00-2275).....	No limit
Community development block grant – federal fund (300-00-3669)	No limit
National main street center fund (300-00-7325-7000)	No limit
IMPACT program services fund (300-00-2176)	No limit
IMPACT program repayment fund (300-00-7388)	No limit
Kansas partnership fund (300-00-7525-7020).....	No limit
Publication and other sales fund (300-00-2399-2399)	No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2024, expenditures may be made from such fund for the purpose of compensating federal aid pro-

gram expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2024: *And provided further*, That the secretary of 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
Kansas commission for the United States	
semiquincentennial gifts and	
donations fund (300-00-7019).....	No limit
Attracting professional sports to	
Kansas fund (300-00-2942)	No limit
Attracting powerful economic expansion	
payroll incentive fund (300-00-2943).....	No limit
Attracting powerful economic expansion	
new employee training and	
educaton fund (300-00-2944).....	No limit

Attracting powerful economic expansion Kansas residency incentive fund (300-00-2945)	No limit
ARPA capital projects-broadband infrastructure – federal fund (300-00-3761).....	No limit
ARPA capital projects-digital technology connectivity – federal fund (300-00-3761)	No limit
Broadband equity access and deployment program fund (300-00-3928-3928).....	No limit
State digital equity planning grant program fund (300-00-3927-2927).....	No limit
American rescue plan state relief – federal fund (300-00-3756)	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2024, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2024, in accordance with the provisions of this or other appropriation act of the 2023 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2024 for the department of

commerce as authorized by this or other appropriation act of the 2023 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2024 for official hospitality.

(f) During the fiscal year ending June 30, 2024, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2024 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state economic development initiatives fund (300-00-1900-1100).

(h) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 12-17,169, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys for the secretary of commerce to approve a city or county to finance a rural redevelopment project, as defined in K.S.A. 12-17,162, and amendments thereto, without the issuance of special obligation bonds up to an amount not to exceed \$25,000,000 for each such project: *Provided*, That such rural redevelopment project costs shall be made payable, both as to principal and interest, from any source as provided in K.S.A. 12-17,169(a)(1)(A) through (I), and amendments thereto.

(i) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for studio upgrades of a public television broadcasting station in western Kansas in such station's current city, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the

above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such studio upgrades, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$2,500,000 as available from such funds to the special revenue fund of the above agency designated by the secretary of commerce for the purpose of funding such studio upgrades: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such studio upgrades: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such studio upgrades shall not be funded pursuant to this subsection: *And provided, however*, That if the board of directors or management of such public television broadcasting station approves a move to a different location or a plan to move to a different location during fiscal year 2024, no moneys shall be transferred pursuant to this subsection.

(j) (1) During the fiscal year ending June 30, 2024, notwithstanding the provisions of the STAR bonds financing act, K.S.A. 12-17,160 through 12-17,180, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures may be made from such moneys for the secretary of commerce to approve a STAR bond project for a major amusement park or historic theater: *Provided*, That such approval shall be upon adoption of a STAR bond project plan and establishment of a STAR bond project district by a city or county for such major amusement park project or historic theater in accordance with K.S.A. 12-17,164 through 12-17,166, and amendments thereto: *Provided further*, That such major amusement park project or historic theater shall be eligible for financing by special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1), and amendments thereto: *And provided further*, That such city or county is authorized to issue such special obligation bonds in one or more series to finance the undertaking of such major amusement park project or historic theater in accordance with the provisions of the STAR bonds financing act: *And provided further*, That the secretary shall review the STAR bond

project plan and determine whether to approve such plan in accordance with K.S.A. 12-17,167, and amendments thereto: *And provided further*, That any special obligation bonds issued to finance the major amusement park project or historic theater shall be subject to the provisions of the STAR bonds financing act: *And provided further*, That such major amusement park costs shall be considered project costs for the purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*, That a major amusement park area shall be considered an eligible area for purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*, That all such property included in, added to or removed from the STAR bond project district established pursuant to this subsection shall be subject to the provisions of the STAR bonds financing act: *And provided further*, That if such major amusement park project or historic theater uses state sales tax financing pursuant to K.S.A. 12-17,169, and amendments thereto, such project shall be subject to the requirements of K.S.A. 12-17,176, and amendments thereto: *And provided further*, That in the event that the city or county shall default in the payment of any STAR bonds payable from revenues described in K.S.A. 12-17,169(a)(1), and amendments thereto, no public funds shall be used to pay the holders thereof except as specifically authorized by the STAR bonds financing act: *And provided further*, That copies of all retailers’ sales, use and transient guest tax returns filed with the secretary of revenue in connection with such major amusement park project shall be subject to the provisions of K.S.A. 12-17,174, and amendments thereto.

(2) For purposes of this subsection:

(A) “Amusement rides” means the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further include buildings necessary to house and operate such amusement park ride.

(B) “Major amusement park” means a project with amusement rides and upon which the secretary has made a finding that capital improvements of not less than \$100,000,000 will be built in the state to construct the major amusement park.

(C) “Major amusement park area” means an area containing a major amusement park.

Sec. 78.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

Sunflower summer program\$3,000,000

Provided, That the above agency shall expend moneys in such account to recruit and add new venues geographically located across the state to

participate in the program: *Provided further*, That if a participating venue does not require an admission price or requests a small donation for admission, then the above agency shall reimburse such venue \$5 for each program ticket used for admission to such venue.

Sec. 79.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000) No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 80.

DEPARTMENT OF LABOR

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

Unemployment insurance
modernization (296-00-1000-0520)\$20,500,000

Provided, For the fiscal year ending June 30, 2023, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for unemployment insurance modernization projects, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such unemployment insurance modernization project in addition to the federal funds currently encumbered for such project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$20,500,000 as available from such funds to the special revenue fund of the department of labor and as designated

by the secretary of labor for the purpose of funding such unemployment insurance modernization: *And provided further*, That on the effective date of such transfer, of the \$20,500,000 appropriated for the above agency for the fiscal year ending June 30, 2023, in the unemployment insurance modernization account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000).....\$792,000

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 64(b) of chapter 81 of the 2022 Session Laws of Kansas on the workmen’s compensation fee fund (296-00-2124-2220) of the department of labor is hereby decreased from \$13,263,070 to \$12,067,209.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 145(c) of chapter 81 of the 2022 Session Laws of Kansas on the workmen’s compensation fee fund (296-00-2124) of the department of labor for capital improvement purposes is hereby decreased from \$1,555,000 to \$528,000.

Sec. 81.

DEPARTMENT OF LABOR

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

Operating expenditures (296-00-1000-0503).....\$3,697,469

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2024, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-2218 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

Amusement ride safety (296-00-1000-0513).....\$270,730

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

Any unencumbered balance in the unemployment insurance modernization account (264-00-1000-0520) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen’s compensation	
fee fund (296-00-2124-2220)	\$12,321,935
Occupational health and safety –	
federal fund (296-00-3339-3210)	No limit
Employment security interest	
assessment fund (296-00-2771-2700)	No limit
Special employment	
security fund (296-00-2120-2000).....	No limit
Employment security	
administration fund (296-00-3335)	No limit

Provided, That in addition to the other purposes for which expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2024 from moneys made available to the state under section 903 of the federal social security act for the purpose of unemployment insurance modernization: *Provided further*, That expenditures from such fund for fiscal year 2024 of moneys made available to the state under section 903 of the federal social security act for such unemployment insurance modernization purposes shall not exceed \$4,821,302: *And provided further*, That all expenditures from the employment security administration fund for any such unemployment insurance modernization purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2024.

Wage claims assignment	
fee fund (296-00-2204-2240)	No limit
Department of labor special	
projects fund (296-00-2041-2105)	No limit
Federal indirect cost	
offset fund (296-00-2302-2280)	No limit

Provided, That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any other statute to the contrary, during fiscal year 2024, the secretary of labor, with the approval of the director of the

budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: *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.

- 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

Provided, 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: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

- Indirect cost fund (296-00-2781-2781) No limit
- Workforce data quality initiative –
 - federal fund (296-00-3237-3237)..... No limit
- Employment security fund
 - clearing account (296-00-7055-7100) No limit
- Employment security fund
 - benefit account (296-00-7054-7000)..... No limit
- Employment security fund – special
 - suspense account (296-00-7057-7300)..... No limit
- Employment security fund
 - trust account (296-00-7056-7200)..... No limit
- Special wage payment clearing
 - trust fund (296-00-7362-7500)..... No limit
- Economic adjustment assistance –
 - federal fund (296-00-3415-3415)..... No limit
- Social security administration disability –
 - federal fund (296-00-3309-3309)..... No limit
- Amusement ride safety fund (296-00-2224-2250)..... No limit

KDOL off-budget fund (296-00-6112-6100)	No limit
SNAP employment and training pilot – federal fund (296-00-3321-3350)	No limit
Anti-human trafficking – federal fund (296-00-3644-3644)	No limit
Coronavirus relief fund (296-00-3753)	No limit
American rescue plan state relief fund (296-00-3756-3536)	No limit

Sec. 82.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

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

Operating expenditures – administration (694-00-1000-0103)	\$64,050
Operating expenditures – Kansas veterans’ home (694-00-1000-0503)	\$500,000
Veterans claim assistance program – service grants (694-00-1000-0903)	\$150,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project of projects specified, the following:

Northeast Kansas veterans’ home (694-00-8100)	\$849,167
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(c) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2023, by section 199(a) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the Halsey hall kitchen account (694-00-8100-8281), the sum of \$297,018 is hereby lapsed.

Sec. 83.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

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

Operating expenditures – administration (694-00-1000-0103)	\$1,085,340
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Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures – veteran services (694-00-1000-0203)	\$1,606,833
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Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2023, is hereby

reappropriated for fiscal year 2024: *Provided, however,* That expenditures from this account for official hospitality shall not exceed \$2,500.

Operations – state

veterans cemeteries (694-00-1000-0703).....\$625,608

Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further,* That expenditures from this account for official hospitality shall not exceed \$1,500.

Operating expenditures – Kansas

soldiers’ home (694-00-1000-0403)\$4,530,709

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

Operating expenditures – Kansas

veterans’ home (694-00-1000-0503)\$4,612,149

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

Veterans claim assistance program –

service grants (694-00-1000-0903).....\$850,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further,* That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however,* That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers’ home fee fund (694-00-2241-2100)..... No limit

Soldiers’ home benefit fund (694-00-7903-5400) No limit

Soldiers’ home work

therapy fund (694-00-7951-5600) No limit

Soldiers’ home medicare fund (694-00-3168-3100) No limit

Soldiers' home medicaid fund (694-00-2464-2464).....	No limit
Veterans' home medicare fund (694-00-3893-3893)	No limit
Veterans' home medicaid fund (694-00-2469-2469).....	No limit
Veterans' home fee fund (694-00-2236-2200).....	No limit
Veterans' home canteen fund (694-00-7809-5300).....	No limit
Veterans' home benefit fund (694-00-7904-5500)	No limit
Soldiers' home outpatient clinic fund (694-00-2258-2300).....	No limit
State veterans cemeteries fee fund (694-00-2332-2600)	No limit
State veterans cemeteries donations and contributions fund (694-00-7308-5200).....	No limit
Outpatient clinic patient federal reimbursement fund – federal (694-00-3205-3300)	No limit
VA burial reimbursement fund – federal (694-00-3212-3310)	No limit
Federal domiciliary per diem fund (694-00-3220)	No limit
Federal long term care per diem fund (694-00-3232)	No limit
Commission on veterans affairs federal fund (694-00-3241-3340)	No limit
American rescue plan state relief fund (694-00-3756-3536)	No limit
Kansas veterans memorials fund (694-00-7332-5210)	No limit
Vietnam war era veterans' recognition award fund (694-00-7017-7000).....	No limit
Kansas hometown heroes fund (694-00-7003-7001).....	No limit
Persian gulf war veterans health initiatives fund (694-00-2304-2500).....	No limit
Construction state home facilities fund (694-00-3018-3000).....	No limit
State cemetery grants fund (694-00-3048).....	No limit
Kansas soldier home construction grant fund (694-00-3075)	No limit
Winfield veterans home acquisition construction fund (694-00-8806-8200)	No limit
Coronavirus relief fund (694-00-3753).....	No limit
CARES provider relief fund (694-00-3754).....	No limit
Veterans benefit lottery game fund (694-00-2303)	No limit
<i>Provided, That expenditures from the veterans benefit lottery game fund shall be in an amount equal to 50% for operating expenditures and</i>	

capital improvements of the above agency, or for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; and 50% for the veterans enhanced service delivery program.

(c) (1) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 73-1231, 73-1233, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2024, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2024 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2024, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the

Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,000 from the lottery operating fund (450-00-5123-5100) of the Kansas lottery to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office.

Sec. 84.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

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

Operating expenditures (including official
hospitality) (264-00-1000-0202)\$5,665,494

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

Operating expenditures (including official
hospitality) – health (264-00-1000-0270).....\$4,433,530

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Vaccine purchases (264-00-1000-0900).....\$329,607

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

Aid to local units (264-00-1000-0350)\$7,405,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, except as provided in subsection (k), all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary
health projects (264-00-1000-0460).....\$15,750,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary

health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs: *And provided further*, That funded clinics shall be not-for-profit or publicly funded primary care clinics or dental clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care or dental services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay and have a unique patient panel that, at a minimum, represents the income-based disparities of the community: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*, That of the moneys appropriated in the aid to local units – primary health projects account, not less than \$15,750,690 shall be distributed for community-based primary care grants and services provided by the community care network of Kansas.

Infant and toddler program (264-00-1000-0570).....\$7,500,000

Provided, That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from the infant and toddler program account in the amount of \$7,500,000 for the purposes of aid to local units and other assistance: *And provided further*, That such moneys shall not be expended for administrative costs incurred by the above agency: *And provided further*, That expenditures of at least \$1,500,000 shall be made from such account to provide early childhood vision services for children served by the Kansas state school for the blind.

Aid to local units –

women’s wellness (264-00-1000-0610)\$444,296

Provided, That any unencumbered balance in the aid to local units – women’s wellness account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the aid to local units – women’s wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

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

Breast cancer screening program (264-00-1000-1300).....\$1,219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Pregnancy maintenance

initiative (264-00-1000-1100).....\$677,692

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

Cerebral palsy

posture seating (264-00-1000-1500)\$303,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made by the above agency from the cerebral palsy posture seating account for posture seating for adults.

PKU treatment (264-00-1000-1710)\$199,274

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

Teen pregnancy

prevention activities (264-00-1000-0650)\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

State trauma fund (264-00-1000-1720)\$300,000

Provided, That any unencumbered balance in the state trauma fund in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

Provided, That any unencumbered balance in the lyme disease prevention and research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Child abuse review

and evaluation (264-00-1000-1550)\$758,317

Provided, That any unencumbered balance in the child abuse review and evaluation account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the child abuse review and evaluation program account to train healthcare providers to recognize signs of child abuse and reimburse reviews and examinations conducted by such trained healthcare providers: *And provided further*, That on or before January 8, 2024, the above agency shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on services provided and the location of services provided by the program.

Childcare pilot (264-00-1000).....\$2,500,000

Provided, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state that are eligible to be used for such childcare pilot program, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, are unencumbered: *Provided further*, That of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state are available during fiscal year 2024 to be used for such childcare pilot program, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$2,500,000 as available from such funds to the special revenue fund of the above agency as designated by the secretary of health and environment for the purpose of funding such childcare pilot program: *And provided further*, That on the effective date of such transfer, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the childcare pilot account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Tobacco cessation program.....\$938,756

Specialty health care access programs (264-00-1000-1450).....\$500,000

Provided, That any unencumbered balance in the specialty health care access programs account in excess of \$100 as of June 30, 2023, is hereby

reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the specialty health care access programs account of \$250,000 each to the project access of Wichita program and the Wy Jo care of Wyandotte and Johnson counties program.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Disease control and prevention investigations and technical assistance – federal fund (264-00-3150) No limit
- Health and environment training fee fund – health (264-00-2183-2160) No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2024, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2024 for agency operations for the division of public health.

- Health facilities review fund (264-00-2505-2250) No limit
- Insurance statistical plan fund (264-00-2243-2840) No limit
- Health and environment publication fee fund – health (264-00-2541-2190) No limit

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 2024 pursuant to a

contract, which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.

Migrant health program –	
federal fund (264-00-3069-3070)	No limit
Tuberculosis prevention –	
federal fund (264-00-3071-4610)	No limit
Strengthen public health immunization infrastructure –	
federal fund (264-00-3568-3568)	No limit
Healthy homes and lead poisoning prevention –	
federal fund (264-00-3572-3572)	No limit
Children’s mercy hospital lead program –	
federal fund (264-00-3152-3154)	No limit
Women, infants and children health program –	
federal fund (264-00-3077-3103)	No limit
Immunization and vaccines for children grants –	
federal fund (264-00-3747-3741)	No limit
Home visiting grant –	
federal fund (264-00-3503-3503)	No limit
Preventive health block grant –	
federal fund (264-00-3614-3200)	No limit
Maternal and child health block grant –	
federal fund (264-00-3616-3210)	No limit
National center for health statistics –	
federal fund (264-00-3617-3220)	No limit
Title X family planning services program –	
federal fund (264-00-3622-3271)	No limit
Comprehensive STD prevention systems –	
federal fund (264-00-3070-3080)	No limit
Make a difference information network –	
federal fund (264-00-3234-3234)	No limit
Ryan White title II –	
federal fund (264-00-3328-3310)	No limit
Bicycle helmet distribution –	
federal fund (264-00-3815-3815)	No limit
Bicycle helmet revolving fund (264-00-2575-2630)	No limit
SSA fee fund (264-00-2269-2030)	No limit
Childhood lead poisoning prevention program –	
federal fund (264-00-3296-3296)	No limit
State implementation projects for prevention	
of secondary conditions –	
federal fund (264-00-3087-4405)	No limit
Title IV-E – federal fund (264-00-3326-3900)	No limit

HIV prevention projects – federal fund (264-00-3740-3521)	No limit
HIV/AIDS surveillance – federal fund (264-00-3399-3399)	No limit
Infants & toddlers Prt C – federal fund (264-00-3516-3171)	No limit
Universal newborn hearing screening – federal fund (264-00-3459-3459)	No limit
State loan repayment program – federal fund (264-00-3760-3755)	No limit
Opt-out testing initiative – federal fund (264-00-3801-3801)	No limit
Adult lead surveillance data – federal fund (264-00-3496-3496)	No limit
Medical reserve corps contract – federal fund (264-00-3502-3502)	No limit
Trauma fund (264-00-2513-2230)	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2024 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: <i>Provided further</i> , That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security – federal fund (264-00-3329-3319)	No limit
Refugee assistance – federal fund (264-00-3378-3345)	No limit
Personal responsibility education program – federal fund (264-00-3494-3494)	No limit
Kansas vital records for quality improvement – federal fund (264-00-3098-3098)	No limit
Kansas early detection works breast & cervical cancer screening services – federal fund (264-00-3099-3099)	No limit
Kansas public health approaches for ensuring quitline capacity – federal fund (264-00-3097-3097)	No limit
Diagnostic x-ray program – federal fund (264-00-3511-3160)	No limit
HRSA small hospital improvement grant program – federal fund (264-00-3371-3371)	No limit
State indoor radon grant – federal fund (264-00-3884-3930)	No limit
Gifts, grants and donations fund – health (264-00-7311-7090).....	No limit

Special bequest fund – health (264-00-7366-7050)	No limit
Civil registration and health statistics fee fund (264-00-2291-2295)	No limit
Power generating facility fee fund (264-00-2131-2130)	No limit
Nuclear safety emergency preparedness special revenue fund (264-00-2415-2280)	No limit
<i>Provided</i> , That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund (034-00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health: <i>Provided further</i> , That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.	
Radiation control operations fee fund (264-00-2531-2530)	No limit
<i>Provided</i> , That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.	
Strengthening public health infrastructure – federal fund (264-00-3547-3547)	No limit
Improving minority health – federal fund (264-00-3548-3548)	No limit
Abstinence education – federal fund (264-00-3549-3549)	No limit
Affordable care act – federal fund (264-00-3546-3546)	No limit
Carbon monoxide detector/fire injury prevention – federal fund (264-00-3508-3508)	No limit
Health information exchange – federal fund (264-00-3493-3493)	No limit
Kansas newborn screening fund (264-00-2027-2027)	No limit
Actions to prevent and control diabetes, heart disease, and obesity – federal fund (264-00-3749-3742)	No limit
Healthy start initiative – federal fund (264-00-3751-3751)	No limit
Immunization capacity building assistance – federal fund (264-00-3744-3744)	No limit
Hospital preparedness and response program for Ebola – federal fund (264-00-3033-3033)	No limit
CDC multipurpose grant federal fund (264-00-3243-3243)	No limit

Kansas newborn screening information system	
maintenance and enhancement	
federal fund (264-00-3612-3612).....	No limit
Lifting young families toward excellence	
federal fund (264-00-3627-3627).....	No limit
Cancer registry federal fund (264-00-3008-3040)	
	No limit
Hospital preparedness Ebola –	
federal fund (264-00-3093-3093).....	No limit
Kansas survivor care quality initiative –	
federal fund (264-00-3101-3610).....	No limit
Zika birth defects surveillance & referral –	
federal fund (264-00-3102-3620).....	No limit
IDEA infant toddler-part C-ARRA –	
federal fund (264-00-3282-3282).....	No limit
SAMHSA project launch intv. –	
federal fund (264-00-3284-3284).....	No limit
Immunization grant –	
federal fund (264-00-3372-3150).....	No limit
Small hospital improvement program –	
federal fund (264-00-3392-3392).....	No limit
Cardiovascular health program –	
federal fund (264-00-3401-3407).....	No limit
Kansas senior farmers market nutrition program –	
federal fund (264-00-3406-3406).....	No limit
Lead poisoning preventive health –	
federal fund (264-00-3626-4132).....	No limit
ARRA – WIC grants to states –	
federal fund (264-00-3750-3750).....	No limit
Census of trauma occp fatal. –	
federal fund (264-00-3797-3670).....	No limit
Homeland security grant-KHP –	
federal fund (264-00-3199-3199).....	No limit
Refugee health –	
federal fund (264-00-3393-3393).....	No limit
ARRA – migrant –	
federal fund (264-00-3396-3396).....	No limit
ARRA – transfer from SRS –	
federal fund (264-00-3471-3471).....	No limit
Public health crisis response –	
federal fund (264-00-3602-3602).....	No limit
Diabetes & heart disease &	
stroke prevention programs –	
federal fund (264-00-3603-3603).....	No limit

Innovative state & local public health strategies to prevent & manage diabetes and heart disease and stroke – federal fund (264-00-3604-3604)	No limit
Kansas actions to improve oral health outcomes – federal fund (264-00-3921-3921)	No limit
ARRA – survey, licensure and epidemiology – federal fund (264-00-3746-3746)	No limit
Campus sexual assault prevention grant – federal fund (264-00-3035-3035)	No limit
Alzheimer’s association inclusion – federal fund (264-00-3607-3607)	No limit
ESSA preschool development grants birth through five – federal fund (264-00-3608-3608)	No limit
Preventing maternal deaths – federal fund (264-00-3896-3896)	No limit
Right-to-know fee fund (264-00-2325-2325)	No limit
Child care criminal background and fingerprint fund (264-00-2313-2313)	No limit
Kansas tobacco control program – federal fund (264-00-3598-3598)	No limit
Colorectal cancer screening – federal fund (264-00-3599-3599)	No limit
Arthritis evidence based interventions – federal fund (264-00-3755-3756)	No limit
Coronavirus relief fund (264-00-3753-3753)	No limit
Rural hospital innovation grant fund (264-00-2871-2871)	No limit
American rescue plan state relief fund (264-00-3756-3536)	No limit
Community health workers for COVID response and resilient communities fund (264-00-3832-3832)	No limit
Maternal deaths due to violence fund (264-00-3724-3724)	No limit
SHIP COVID testing and mitigation fund (264-00-3651-3651)	No limit
Adult viral hepatitis prevention and control fund (264-00-3641-3641)	No limit
COVID 19 health disparities fund (264-00-3683-3683)	No limit
Kansas environmental health capacity program fund (264-00-3660-3660)	No limit

HIV care formula grant federal fund (264-00-3328-3311)	No limit
Drug endangered children in Kansas fund (264-00-3657-3657)	No limit
Strengthening U.S. public health fund (264-00-3926-3926)	No limit
Expanding COVID-19 vaccination fund (264-00-3931-3931)	No limit

(c) On July 1, 2023, and on other occasions during fiscal year 2024, when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) During the fiscal year ending June 30, 2024, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(f) During the fiscal year ending June 30, 2024, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and

environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund (264-00-2653-2320) of the department of health and environment – division of public health for fiscal year 2024 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2023, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(i) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2024, the following:

Healthy start (264-00-2000-2105)\$1,652,876

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

Infants and toddlers program (264-00-2000-2107).....\$5,800,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Smoking prevention (264-00-2000-2109).....\$1,001,960

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

SIDS network grant (264-00-2000-2115).....\$122,106

Provided, That any unencumbered balance in the SIDS network grant

account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2024 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

(k) Notwithstanding the provisions of K.S.A. 65-242, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to distribute to each local health department an amount not less than \$12,000 upon application therefor in accordance with K.S.A. 65-242, and amendments thereto: *Provided*, That any remaining moneys appropriated for such purpose, if any, after making distributions in accordance with this subsection shall be distributed in accordance with K.S.A. 65-242, and amendments thereto: *Provided, however*, That, if sufficient funds are not available to make a minimum distribution of \$12,000, then the provisions of K.S.A. 65-242, and amendments thereto, shall control.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys that are identified as moneys from the federal government for coronavirus relief aid to the state of Kansas and appropriated in any special revenue fund or funds for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from such special revenue fund or funds for fiscal year 2024 to reimburse for testing certified testing laboratories that have entered into an agreement with the above agency and are providing community COVID-19 testing to the general public.

Sec. 85.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

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

Health policy operating
expenditures (264-00-1000-0010)\$249,455

(b) On the effective date of this act, of the \$692,680,872 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 70(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$158,782,182 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 70(b) of chapter 81 of the 2022 Session Laws of Kansas on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby increased from \$126,123,554 to \$135,923,554.

Sec. 86.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

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

Operating expenditures (264-00-1000-0010)\$23,262,331

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Children’s health
insurance program (264-00-1000-0060)\$51,836,512

Provided, That any unencumbered balance in the children’s health insurance program in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Other medical assistance (264-00-1000-3026)\$700,032,680

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And*

provided further, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2024.

Wichita center for graduate
medical education (264-00-1000-3027)\$2,950,000

Provided, That any unencumbered balance in the Wichita center for graduate medical education account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Graduated medical education (264-00-1000-3028)\$1,300,000

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

Special enhanced FMAP (264-00-1000-0449).....\$4,000,000

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

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Division of health care finance special
revenue fund (264-00-2360-2350) No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000.

Health committee
insurance fund (264-00-2569-2500)..... No limit

Health care database
fee fund (264-00-2578-2570) No limit

Association assistance
plan fund (264-00-2391-2391) No limit

Medical programs fee fund (264-00-2395-0110)\$126,123,554

Medical assistance fee fund (264-00-2185-2185)..... No limit

Other state fees fund (264-00-2440-0100)..... No limit

Health care access
improvement fund (264-00-2443-2215) No limit

Children’s health insurance program
federal fund (264-00-3424-0540)..... No limit

State planning – health care –
 uninsured fund (264-00-3483-3483) No limit
 HIV care formula grant
 federal fund (264-00-3328-3311) No limit
 Medical assistance program
 federal fund (264-00-3414-0440) No limit
 Quality based community
 assessment fund (264-00-2760-2760) No limit
 KEES interagency
 transfer fund (264-00-6001-6001) No limit
 Energy assistance
 block grant (264-00-3305-3305) No limit
 Temporary assistance for
 needy families (264-00-3323-3530) No limit
 Title IV-E – adoption
 assistance (264-00-3357-3357) No limit
 Ryan White title II –
 federal fund (264-00-3328-3310) No limit

(c) During the fiscal year ending June 30, 2024, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2024, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person’s client obligation at an amount equal to 300% of federal supplemental security income for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act and any person

in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services.

(e) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement analytical and publicly available reporting that is compliant with the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191), and any federal regulations adopted thereunder, to measure outcomes and effectiveness of the health homes program known as onecare Kansas and to assist providers with the provisions of the health homes program.

(f) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit to the United States centers for medicare and medicaid services a waiver request to allow for medicaid reimbursement for inpatient psychiatric acute care.

(g) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 38-2001, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency to provide coverage under the state children’s health insurance program for children residing in a household that has a gross household income not to exceed 250% of the federal poverty guidelines.

Sec. 87.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

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

Operating expenditures (including official hospitality) (264-00-1000-0300)	\$4,084,972
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Lab equipment replacement (264-00-1000)\$280,000

Any unencumbered balance in the KDHE lab account (264-00-1000-8750) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation

fee fund (264-00-2233-2220) No limit

Solid waste management fund (264-00-2271-2075) No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2024, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund (264-00-2284-2085)..... No limit

Voluntary cleanup fund (264-00-2288-2120) No limit

Storage tank fee fund (264-00-2293-2090) No limit

Air quality fee fund (264-00-2020-2830)..... No limit

Hazardous waste

collection fund (264-00-2099-2010)..... No limit

Health and environment training fee fund –

environment (264-00-2175-2170) No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2024, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2024 for agency operations for the division of environment.

Driving under the

- influence fund (264-00-2101-2020) No limit
- Waste tire management fund (264-00-2635-2820) No limit
- Health and environment publication fee fund –
environment (264-00-2544-2195) No limit

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</i> , That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: <i>Provided further</i> , That expenditures from this fund shall be made to provide for the payment of such matching grants.	
Kansas water pollution control operations fund (264-00-7960-8300)	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600)	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805)	No limit

Surcharge operations fund for Kansas	
water pollution control revolving	
fund revenue bonds (264-00-7531-7620)	No limit
Subsurface hydrocarbon	
storage fund (264-00-2228-2380)	No limit
Natural resources damages	
trust fund (264-00-7265-7265)	No limit
Hazardous waste	
management fund (264-00-2519-2290)	No limit
Brownfields revolving loan program –	
federal fund (264-00-3278-3278)	No limit
Mined-land reclamation fund (264-00-2685-2560)	No limit
Operator outreach training program –	
federal fund (264-00-3259-3259)	No limit
Underground storage tank –	
federal fund (264-00-3732-3510)	No limit
EPA underground injection control –	
federal fund (264-00-3295-3288)	No limit
Laboratory medicaid cost recovery fund –	
environment (264-00-2092-2060)	No limit
EPA state response program –	
federal fund (264-00-3370-3915)	No limit
Environmental use	
control fund (264-00-2292-2310)	No limit
Environmental response remedial activity specific	
sites – federal fund (264-00-3040-3003)	No limit
Emergency environmental response – nonspecific	
sites federal fund (264-00-3067-3030)	No limit
Medicare program – environment –	
federal fund (264-00-3096-3050)	No limit
EPA pollution prevention –	
federal fund (264-00-3619-3240)	No limit
Inspections Kansas infrastructure projects –	
federal fund (264-00-3910-3950)	No limit
Salt solution mining well	
plugging fund (264-00-2247-2390)	No limit
Water program	
management fund (264-00-2798-2798)	No limit
UST redevelopment fund (264-00-7397-7080)	No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 65-34,132, and amendments thereto, notwithstanding the provisions of K.S.A. 65-34,139(a)(3), and amendments thereto, expenditures shall be made from the UST redevelopment fund for fiscal year 2024 for the

purposes of reimbursing eligible owners of underground storage tanks, if, pursuant to K.S.A. 65-34,139, and amendments thereto, the owner replaces all components of a single-wall storage tank system with a secondary containment system that complies with K.S.A. 65-34,138, and amendments thereto, after August 8, 2005.

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 2024 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
Assistance for small and disadvantaged communities drinking water grant program fund (264-00-3655-3655).....	No limit
Expanding COVID-19 vaccination fund (264-00-3931-3931)	No limit
Strengthening U.S. public health fund (264-00-3926-3926)	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802)\$1,095,978

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

Local environmental

protection program (264-00-1800-1803)\$250,000

TMDL initiatives and use

attainability analysis (264-00-1800-1805)\$384,916

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Watershed restoration and

protection plan (264-00-1800-1808)\$1,000,000

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nonpoint source program (264-00-1800-1804)\$414,893

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

Milford and Marion reservoirs harmful algae

bloom pilot (264-00-1800-1810)\$150,547

Provided, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Drinking water protection (264-00-1800-1806)\$800,000

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

Stream trash removal (264-00-1800)\$50,000

(d) During the fiscal year ending June 30, 2024, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of

representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment, which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2023, and on other occasions during fiscal year 2024 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment that have available moneys to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2024, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2024, the amounts transferred by the director of accounts and reports from each of the special

revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 88.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

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

Alcohol and drug abuse services grants (039-00-1000-1010) ...\$1,900,000
Provided, That, the above agency shall distribute the moneys in the alcohol and drug abuse services grants account in fiscal year 2023 for all allowable purposes in accordance with specifications of the federal grant guidelines, including medication and treatment.

(b) On the effective date of this act, of the \$431,984,882 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$40,763,382 is hereby lapsed.

(c) On the effective date of this act, of the \$44,169,770 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$4,031,990 is hereby lapsed.

(d) On the effective date of this act, of the \$2,586,200 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 144(a) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the debt service – state hospitals rehabilitation and repair account (039-00-8100-8325), the sum of \$18 is hereby lapsed.

(e) On the effective date of this act, of the \$2,771,500 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 133(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the EMR infrastructure fund account (039-00-8100-8200), the sum of \$173,362 is hereby lapsed.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services is hereby increased from \$7,248,619 to \$7,251,500.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the social service block grant fund (039-00-3307-3371) of the Kansas department for aging and disability services is hereby increased from \$4,499,999 to \$4,500,000.

(h) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including but not limited to PRTFs, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with I/DD or other cognitive disabilities that result in higher acuity or aggressive behavior, or both, that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*, That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems: *And provided further*, That such study shall be submitted to the house of representatives committee on social services budget and the appropriate subcommittee of the senate committee on ways and means prior to the start of the 2024 regular session of the legislature.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Larned state hospital fee fund (410-00-2073-2100) of the Kansas department for aging and disability services is hereby decreased from \$4,443,456 to \$3,779,252.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Osawatimie state hospital certified care fund (494-00-2079-4201) of the Kansas department for aging and disability services is hereby decreased from \$5,370,468 to \$5,323,434.

(k) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated in the opioid abuse treatment and prevention federal fund (039-00-3023-3024) as authorized by section 74 of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for all allowable purposes in accordance

with specifications of the federal grant guidelines, including medication and treatment.

(l) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

Sec. 89.

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, 2024, the following:

RSI crisis center base services (039-00-1000-0110)	\$3,576,100
Comcare crisis center	
base services (039-00-1000-0120)	\$1,300,000
Valeo crisis center base services (039-00-1000-0130)	\$500,000
Salina crisis center base services (039-00-1000-0140)	\$85,000
Administration	
official hospitality (039-00-1000-0204)	\$1,748

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

PASRR (039-00-1000-0210).....	\$903,780
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Provided, That any unencumbered balance in the PASRR account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Senior care act (039-00-1000-0260)	\$5,515,000
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Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2023 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2023:

And provided further, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2024 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2023: *And provided further,* That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –
 state match (039-00-1000-0280)\$5,545,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further,* That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2023 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2023: *And provided further,* That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2024 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2023: *And provided further,* That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Community services
 and programs (039-00-1000-0520).....\$4,614,869

Provided, That any unencumbered balance in the community services and programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

KanCare caseloads (039-00-1000-0610).....\$551,600,000

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

Non-KanCare caseloads (039-00-1000-0611)\$53,200,000

Provided, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, from the non-KanCare caseloads account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

KanCare non-caseloads (039-00-1000-0612)\$421,197,003

Provided, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

State operations (039-00-1000-0801)\$41,009,579

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse

services grants (039-00-1000-1010)\$8,915,447

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made by the above agency from such account to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals: *Provided, however*, That prior to making any expenditures from such account to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals, the above agency shall make expenditures of unencumbered moneys in the problem gambling and addictions grant fund for such purpose: *And provided further*, That on June 30, 2024, the director of the budget shall certify to the director of accounts and reports the total amount of expenditures from the problem gambling and addictions grant fund for fiscal year 2024 for reimbursement to organizations that provide substance use disorder treatment for uninsured individuals: *And provided further*, That of the \$8,915,447 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the alcohol and drug abuse services grants account, such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Community mental health centers

supplemental funding (039-00-1000-3001)\$54,184,328

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Regional beds funding (039-00-1000-3003).....\$29,650,000

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

BH community aid (039-00-1000-3004)\$28,133,075

Provided, That any unencumbered balance in the BH community aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided further*, That expenditures shall be made from this account for the EmberHope Youthville pilot program not to exceed \$1,000,000.

CDDO support (039-00-1000-4001).....\$10,974,857

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

Kansas neurological institute – operating

expenditures (363-00-1000-0303)\$15,023,961

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided, however*, That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150; *Provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating

expenditures (410-00-1000-0103)\$40,953,861

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided, however*, That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150; *Provided further*, That expenditures may be made from this account for

educational services contracts, which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – SPTP new crimes reimbursement (410-00-1000-0110).....\$5,000

Provided, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Larned state hospital – sexual predator treatment program (410-00-1000-0200)\$23,709,337

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Osawatomie state hospital – operating expenditures (494-00-1000-0100)\$34,451,306

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomie state hospital – certified care expenditures (494-00-1000-0101)\$7,010,819

Provided, That any unencumbered balance in the Osawatomie state hospital – certified care expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Osawatomie state hospital – SPTP MiCo (494-00-1000-0200)\$1,184,324

Provided, That any unencumbered balance in the Osawatomie state hospital – SPTP MiCo account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100)\$17,057,916

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality

by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and
 training center – sexual predator
 treatment program (507-00-1000-0200).....\$2,037,289

Provided, That any unencumbered balance in the Parsons state hospital and training center – sexual predator treatment program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024. Any unencumbered balance in the other medical assistance account (039-00-1000-3002) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130)..... No limit

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)	\$1,324,481
Kansas neurological institute – foster grandparents program – federal fund (363-00-3115-3200).....	No limit
Kansas neurological institute – FGP gifts, grants, donations fund (363-00-7125-7400).....	No limit
Kansas neurological institute – patient benefit fund (363-00-7910-7100).....	No limit
Kansas neurological institute – work therapy patient benefit fund (363-00-7940-7200).....	No limit
Larned state hospital fee fund (410-00-2073-2100)	\$3,970,643
Larned state hospital – canteen fund (410-00-7806-7000).....	No limit
Larned state hospital – patient benefit fund (410-00-7912-7100).....	No limit
Larned state hospital – work therapy patient benefit fund (410-00-7938-7200).....	No limit
Osawatomie state hospital fee fund (494-00-2079-4200)	\$1,717,298

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie 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 Osawatomie state hospital fee fund.

Osawatomie state hospital certified care fund (494-00-2079-4201).....	\$4,172,838
Osawatomie state hospital – cottage revenue and expenditures fund (494-00-2159-2159)	No limit
Osawatomie state hospital – training fee revolving fund (494-00-2602-2000)	No limit

Provided, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments there-

to, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie 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 Osawatomie state hospital.

Osawatomie state hospital – motor pool revolving fund (494-00-6164-5200)	No limit
Osawatomie state hospital – canteen fund (494-00-7807-5600).....	No limit
Osawatomie state hospital – patient benefit fund (494-00-7914-5700)	No limit
Osawatomie 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)\$8,401,097

Provided, That expenditures shall be made by the above agency from the problem gambling and addictions grant fund, not to exceed \$5,000,000, to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals.

State licensure fee fund (039-00-2373-2370)..... No limit

General fees fund (039-00-2524-2500) No limit

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

988 suicide prevention and mental health crisis

hotline fund (039-00-2913-2913) No limit

Quality care services fund (039-00-2999-2902) No limit
Provided, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*, That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 75-7435, and amendments thereto.

Opioid abuse treatment & prevention –
 federal fund (039-00-3023-3024) No limit

Kansas national background check program –
 federal fund (039-00-3032-3132) No limit

Money follows the person grant –
 federal fund (039-00-3054-4000) No limit

Survey & certification –
 federal fund (039-00-3064-3064) No limit

Provided, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2024 pursuant to a contract, which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Substance abuse/mental health
 services – partnership for success –
 federal fund (039-00-3284-1327) No limit

Special program for aging IIID –
 federal fund (039-00-3286-3285) No limit

Special program for aging IIIB –
 federal fund (039-00-3287-3281) No limit

Special program for aging IV & II –
 federal fund (039-00-3288-3297) No limit

National family caregiver support program IIIIE –
 federal fund (039-00-3289-3201) No limit

Nutrition services incentives –
 federal fund (039-00-3291-3305) No limit

Prevention/treatment substance abuse –
 federal fund (039-00-3301-0310) No limit

Social service block
 grant fund (039-00-3307-3371) \$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2023 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2023: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2024 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2023: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services that are determined to be the most economical services available.

Community mental health block grant –	
federal fund (039-00-3310-0460)	No limit
Temporary assistance for needy families –	
federal fund (039-00-3323-3323)	No limit
PATH – federal fund (039-00-3347-4316)	No limit
Special program for aging VII-2 –	
federal fund (039-00-3358-3072)	No limit
TBI partnership program fund (039-00-3376-3376)	No limit
Disaster response for Children –	
federal fund (039-00-3385-3591)	No limit
Special program for aging VII-3 –	
federal fund (039-00-3402-3000)	No limit
Center for medicare/medicaid service –	
federal fund (039-00-3408-3300)	No limit
Medicare fund – oasis (039-00-3408-3350)	No limit

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 IIIC –	
federal fund (039-00-3425-3423)	No limit
Medicare enrollment assistance program	
fund – federal (039-00-3468-3450)	No limit

Systems of care grant –
 federal fund (039-00-3595-3595) No limit

SAMHSA covid-19 supplemental –
 federal fund (039-00-3672-3997) No limit

SSA xx ombudsman cares FFY21 –
 federal fund (039-00-3680-3083) No limit

KS assisted outpatient treatment –
 federal fund (039-00-3733-3101) No limit

ADAS data collection grant –
 federal fund (039-00-3887-3887) No limit

Long-term care loan and
 grant fund (039-00-5110-5100) No limit

KDFA refunding revenue bond
 2013B fund (039-00-7111) No limit

Trust fund (039-00-7299) No limit

Gifts and donations fund (039-00-7309-7000) No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Larned state security hospital
 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

American rescue plan
 state relief fund (039-00-3756-3536) No limit

[†]

(c) On July 1, 2023, and at other times during fiscal year 2024, when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs from specified special revenue funds of the Kansas department

for aging and disability services to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2023, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2023, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2023, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2024, no moneys paid by the Kansas department for aging and disability services from the CDDO support account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2024, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2024 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2024, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability ser-

vices to another item of appropriation for fiscal year 2024 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2024 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2024: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2024 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) During the fiscal year ending June 30, 2024, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) Notwithstanding the provisions of K.S.A. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2024.

(m) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to operate, or contract for the operation of, eight acute inpatient psychiatric care beds for children in the city of Hays, Kansas, or the surrounding area: *Provided, however,* That expenditures for such purposes during fiscal year 2024 shall not exceed \$4,000,000.

(n) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to implement a process for certification and funding for certified community behavioral health clinics: *Provided,* That such agency shall certify as a certified community behavioral health clinic any community behavioral health center licensed by such agency that provides the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and community-based mental healthcare for military servicemembers and veterans.

(o) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special

revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to submit a report on a quarterly basis, in collaboration with the Kansas department of health and environment, to the Robert G. (Bob) Bethell joint committee on home and community based services regarding the home and community-based services brain injury waiver, including the:

(1) Number of members enrolled in such waiver at the end of the month prior to the committee meeting;

(2) unduplicated number of such members over the course of the calendar year;

(3) number of such members receiving services for a period longer than 2 years and longer than 4 years;

(4) number of such members who did not receive services within a period of 60, 90 or 120 or more days after being enrolled;

(5) number of such members who did not receive a specific waiver service within a period of 30, 60, 90 or 120 or more days prior to the date such member was officially unenrolled from such waiver;

(6) amount of the per-member, per-month enhanced dollar rate provided to a managed care organization for each member enrolled in such waiver;

(7) total number of members enrolled in the waiver disaggregated by county and the per capita enrollment in such waiver disaggregated by county; and

(8) agency's progress toward new policy implementation.

(p) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to establish guidelines for nursing facilities, as defined in K.S.A. 39-923, and amendments thereto, to request a waiver from staffing requirements and to study establishing similar guidelines for other adult care homes, as defined in K.S.A. 39-923, and amendments thereto: *Provided*, That any such guidelines shall be compatible with rules established by the United States centers for medicare and medicaid services.

(q) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements with community

mental health centers for the purpose of establishing rates for conducting mobile competency evaluations.

(r) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including, but not limited to, psychiatric residential treatment facilities, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with intellectual disabilities, developmental disabilities or other cognitive disabilities that result in higher acuity or aggressive behavior that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*, That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems.

(s) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

(t) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for the purpose of preparing a report on such agency's progress to build capacity for crisis services for Kansans with intellectual or developmental disability: *Provided*, That such report shall be submitted to the senate committee on public health and welfare, the appropriate subcommittee of the senate committee on ways and means, the house of representatives committee on health and human services and the house of representatives committee on social services budget.

(u) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency

from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of reviewing the overall costs of providing services within the intellectual and developmental disability service system and making recommendations to the legislature for a method to make regular rate adjustments for such services based on inflationary indexes.

(v) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of submitting to the United States centers for medicare and medicaid services an approval request to develop a home and community-based services community supports waiver to provide services to individuals with intellectual or developmental disability: *Provided*, That the waiver application for such program shall reflect the recommendations of the 2022 Special Committee on Intellectual and Developmental Disability Waiver Modernization, including a per-person maximum of \$20,000 and offering services for transportation, supported employment, individual-directed goods and services, personal care, respite, therapy, assistive technology, independent living, family or caregiver support and training, financial management services and support brokers and benefits counseling.

(w) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of providing a 5% increase to medicaid rates for services provided under a program for all-inclusive care for the elderly.

(x) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys in an amount not to exceed \$5,000,000 for the purpose of reimbursing healthcare providers, law enforcement and other county entities for unpaid costs of patient observation and transportation.

(y) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for mental health bed expansion in the Sedgwick county regional area, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such mental health bed expansion, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$22,000,000 as available from such funds to the special revenue fund of the above agency designated by the secretary for aging and disability services for the purpose of funding such mental health bed expansion: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such mental health bed expansion: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such mental health bed expansion, such mental health bed expansion shall not be funded pursuant to this subsection.

Sec. 90.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

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

Youth services aid and assistance (629-00-1000-7020)\$5,400,000

[†]

Sec. 91.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

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

State operations (including official hospitality) (629-00-1000-0013)\$134,710,032

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Cash assistance (629-00-1000-2010).....\$11,979,371

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

Vocational rehabilitation aid and assistance (629-00-1000-5010)\$4,948,301

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of workers compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Youth services aid and assistance (629-00-1000-7020)\$250,530,034

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Hope ranch program for women\$300,000

Provided, That on or before January 9, 2024, the hope ranch program for women shall report to the Kansas legislature on performance measures evaluating the program’s effectiveness for fiscal year 2024.

[†]

WeKanDrive\$750,000

Provided, That expenditures shall be made from the WeKanDrive account to expand the WeKanDrive program statewide to support older youth in foster care and young adults in obtaining their driver’s license in Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Social welfare fund (629-00-2195-0110)No limit

Project maintenance	
reserve fund (629-00-2214-0150).....	No limit
Other state fees fund (629-00-2220)	No limit
Disaster relief – federal fund (629-00-3005-7344)	No limit
Child care discretionary –	
federal fund (629-00-3028-0522).....	No limit
Title IV-B promoting safe/stable families –	
federal fund (629-00-3302)	No limit
Low-income home energy assistance –	
federal fund (629-00-3305-0350).....	No limit
Child welfare services state grants –	
federal fund (629-00-3306-0341).....	No limit
Social services block grant –	
federal fund (629-00-3307-0370).....	No limit
Commodity supp food program –	
federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance –	
federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program –	
federal fund (629-00-3311)	No limit
Emergency food assistance program –	
federal fund (629-00-3313-2310).....	No limit
Rehabilitation services – vocational rehabilitation –	
federal fund (629-00-3315)	No limit
Child support enforcement –	
federal fund (629-00-3316)	No limit
Child care and development	
mandatory and matching –	
federal fund (629-00-3318-0523).....	No limit
Temporary assistance to needy families –	
federal fund (629-00-3323-0530).....	No limit
SNAP technology project for success –	
federal fund (629-00-3327-3327).....	No limit
<i>Provided</i> , That expenditures shall be made by the above agency for fiscal year 2024 from the temporary assistance for needy families – federal fund to the boys and girls clubs for out-of-school time support in an amount not to exceed \$780,000.	
Title IV-E foster care –	
federal fund (629-00-3337-0419).....	No limit
Chafee education and training vouchers program –	
federal fund (629-00-3338-0425).....	No limit
Adoption incentive payments –	
federal fund (629-00-3343-0426).....	No limit

Adoption assistance –	
federal fund (629-00-3357-0418)	No limit
Chafee foster care independence program –	
federal fund (629-00-3365-0417)	No limit
Refugee and entrant assistance –	
federal fund (629-00-3378)	No limit
Headstart – federal fund (629-00-3379-6323)	No limit
Developmental disabilities basic support –	
federal fund (629-00-3380-4360)	No limit
Children’s justice grants to states –	
federal fund (629-00-3381-7320)	No limit
Child abuse and neglect state grants –	
federal fund (629-00-3382-7210)	No limit
Independent living state grants –	
federal fund (629-00-3387)	No limit
Independent living services for older blind –	
federal fund (629-00-3388-5313)	No limit
Supported employment for	
individuals with severe disabilities –	
federal fund (629-00-3389)	No limit
TEFAP trade	
mitigation program (629-00-3409-2315)	No limit
Medical assistance program –	
federal fund (629-00-3414)	No limit
Children’s health insurance program –	
federal fund (629-00-3424-0541)	No limit
SNAP employment and training exchange –	
federal fund (629-00-3452-3452)	No limit
Child-care disaster – federal fund (629-00-3597-3597).....	No limit
ESSA preschool development grant –	
federal fund (629-00-3608-0525)	No limit
Randolph sheppard FRRP –	
federal fund (629-00-3647-3647)	No limit
Low income water assistance –	
federal fund (629-00-3653-3653)	No limit
SNAP pandemic ebt admin-21 –	
federal fund (629-00-3661-0431)	No limit
SNAP data grant –	
federal fund (629-00-3674-3674)	No limit
Adult protective services crrsa21 –	
federal fund (629-00-3680-3680)	No limit
Title IV-E kinship navigator –	
federal fund (629-00-3712-0429)	No limit

Coronavirus relief fund (629-00-3753).....	No limit
Prevention services grant fund (629-00-3813-0428).....	No limit
SRS enterprise fund (629-00-5105).....	No limit
Receipt suspense	
clearing fund (629-00-9212-0910)	No limit
Client assistance payment	
clearing fund (629-00-9214-0930)	No limit
Child support collections	
clearing fund (629-00-9218-0970)	No limit
EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund (629-00-9405-9400)	No limit

(c) During the fiscal year ending June 30, 2024, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2024 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2024, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer monies received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2024, the following:

Child care (629-00-2000-2406).....\$5,033,679

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

Family preservation (629-00-2000-2413).....\$3,241,062

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

(f) On July 1, 2023, the SNAP pandemic ebt admin grant – federal fund (629-00-3661-0431) of the Kansas department for children and

families is hereby redesignated as the SNAP pandemic ebt admin-21 – federal fund (629-00-3661-0431) of the Kansas department for children and families.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2024 to authorize the children’s cabinet to establish a nonprofit corporation organized under section 501(c)(3) of the internal revenue code of 1986: *Provided*, That the board of directors of the nonprofit corporation shall consist of the members of the children’s cabinet, the executive director of the children’s cabinet and other directors designated by the children’s cabinet: *Provided further*, That the children’s cabinet shall receive gifts, donations, grants and other money and engage in fundraising projects for the benefit of the Dolly Parton’s imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Sec. 92.

KANSAS GUARDIANSHIP PROGRAM

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

Kansas guardianship program (261-00-1000-0300)\$1,403,875

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

Sec. 93.

STATE LIBRARY

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

Operating expenditures (434-00-1000-0300)\$1,391,407

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants in aid (434-00-1000-0410)\$1,067,914

Provided, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Grants to libraries and library systems – interlibrary
loan development (434-00-1000-0420).....\$1,133,729

Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Grants to libraries and library systems – talking
book services (434-00-1000-0430)\$443,165

Provided, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500) No limit
Federal library services and technology
act – fund (434-00-3257-3000)..... No limit
Grants and gifts fund (434-00-7304-7000)..... No limit
Coronavirus relief fund (434-00-3753)..... No limit

Sec. 94.

KANSAS STATE SCHOOL FOR THE BLIND

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

Operating expenditures (604-00-1000-0303).....\$50,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair
projects (604-00-8100-8108)\$100,000
Campus boilers and HVAC upgrades (604-00-8100-8145)\$119,820

Sec. 95.

KANSAS STATE SCHOOL FOR THE BLIND

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

Operating expenditures (604-00-1000-0303).....\$6,396,917

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....	\$133,847
Extended school year program	\$300,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services

reimbursement fund (604-00-2088-2500) No limit
Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (604-00-2093)..... No limit

Student activity

fees fund (604-00-2146) No limit

Chapter I handicapped FDF –

federal fund (604-00-3039) 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

ESSER II federal fund (604-00-3638) No limit

Elementary and secondary school emergency

relief fund III – Covid-19 federal relief

fund – federal fund (604-00-3649)..... No limit

American rescue plan-state relief –

federal fund (604-00-3756) No limit

Education improvement –

federal fund (604-00-3898) No limit

Gift fund (604-00-7329-5100)..... No limit

Special bequest fund (604-00-7333)..... No limit

Sec. 96.

KANSAS STATE SCHOOL FOR THE DEAF

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

Operating expenditures (610-00-1000-0303).....\$50,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....\$100,000

(c) On the effective date of this act, any unencumbered balance in the Roth building repairs account (610-00-8100-8125) of the state institutions building fund is hereby lapsed.

Sec. 97.

KANSAS STATE SCHOOL FOR THE DEAF

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

Operating expenditures (610-00-1000-0303).....\$10,603,026

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Language assessment program\$386,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services

reimbursement fund (610-00-2091-2200) No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (610-00-2094)..... No limit

Student activity fees fund (610-00-2147) No limit

Language assessment fee fund (610-00-2891) No limit

Provided, That expenditures shall be made from the language assessment fee fund for operating expenditures to implement a fee-for-service model

to fund the implementation of a language assessment program for children ages three through eight: *Provided further*, That the above agency is hereby authorized to fix, charge and collect fees from unified school districts, special education cooperatives and interlocals to fund the operations of the language assessment program authorized pursuant to K.S.A. 75-5397e, and amendments thereto: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the language assessment fee fund: *And provided further*, That all expenditures from the language assessment fee fund shall be only for the operations of the language assessment program.

Special education state grants –	
federal fund (610-00-3234)	No limit
Universal newborn screening –	
federal fund (610-00-3459)	No limit
School breakfast program –	
federal fund (610-00-3529)	No limit
School lunch program –	
federal fund (610-00-3530)	No limit
Special education preschool grants –	
federal fund (610-00-3535)	No limit
Summer food service program –	
federal fund (610-00-3591)	No limit
Elementary and secondary school emergency	
relief – federal fund (610-00-3638).....	No limit
COVID-19 federal relief fund –	
federal fund (610-00-3649)	No limit
American rescue plan – state relief –	
federal fund (604-00-3756)	No limit
Special bequest fund (610-00-7321).....	No limit
Gift fund (610-00-7330).....	No limit
Special workshop fund (610-00-7504).....	No limit
Language assessment fee fund	No limit

Sec. 98.

STATE HISTORICAL SOCIETY

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

Operating expenditures (288-00-1000-0083).....\$4,485,976

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

Humanities Kansas (288-00-1000-0600).....\$50,501

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (288-00-2047-2300) No limit
Archeology fee fund (288-00-2638-2350) No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and
equipment fund (288-00-2436-2700)..... No limit
Microfilm fees fund (288-00-2246-2370) No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100) No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310) No limit
Historic preservation overhead

fees fund (288-00-2916-2380) No limit

National historic preservation act
fund – local (288-00-3089-3000) No limit

Private gifts, grants and
bequests fund (288-00-7302-7000) No limit

Museum and historic sites visitor
donation fund (288-00-2142-2250) No limit

Insurance collection replacement/
 reimbursement fund (288-00-2182-2320) No limit
 Heritage trust fund (288-00-7379-7600) No limit
Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$100,000.

Land survey fee fund (288-00-2234-2330)..... No limit
Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2024 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353) No limit
 State historical society

facilities fund (288-00-2192-2420) No limit
 Historic properties fund (288-00-2144-2400) No limit

Law enforcement
 memorial fund (288-00-7344-7300)..... No limit

Highway planning/
 construction fund (288-00-3333-3333) No limit

Save America’s
 treasures fund (288-00-3923-4000)..... No limit

Archeology federal fund (288-00-3083-3110) No limit
 Property sale proceeds fund (288-00-2414-2500)..... No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

National endowment for the
 humanities fund (288-00-3925-3925) No limit

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2024 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however*, That such admission fees may be increased by the above agency during fiscal year 2024 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society’s constitution hall promotional expens-

es as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further*, That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 99.

FORT HAYS STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (246-00-1000-0013)\$39,514,462

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

Master’s-level nursing capacity (246-00-1000-0100).....\$141,428

Kansas wetlands education center at Cheyenne bottoms (246-00-1000-0200)\$265,304

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas academy of math and science (246-00-1000-0300)\$759,405

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$3,537,490

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050) No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040)..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act –

- federal fund (246-00-3394-3500) No limit
- Service clearing fund (246-00-6000) No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Commencement fees fund (246-00-2511-2050) No limit
- Health fees fund (246-00-5101-5000) No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund (246-00-5102-5010) No limit

Provided, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study
program fund (246-00-2548-2060) No limit

Economic opportunity act –
federal fund (246-00-3034-3000) No limit

Faculty of distinction
matching fund (246-00-2471-2400) No limit

Nine month payroll clearing
account fund (246-00-7709-7060) No limit

Federal Perkins student
loan fund (246-00-7501-7050) No limit

Housing system
revenue fund (246-00-5103-5020) No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund (246-00-2900-2070) No limit

Oil and gas royalties fund (246-00-2036-2010) No limit

Housing system
suspense fund (246-00-5707-5090) No limit

Sponsored research
overhead fund (246-00-2914-2080) No limit

Kansas distinguished
scholarship fund (246-00-7204-7000) No limit

Temporary deposit fund (246-00-9013-9400) No limit

Federal receipts
suspense fund (246-00-9105-9410) No limit

Suspense fund (246-00-9134-9420) No limit

Mandatory retirement annuity
clearing fund (246-00-9136-9430) No limit

Voluntary tax shelter annuity
clearing fund (246-00-9163-9440) No limit

Agency payroll deduction
clearing fund (246-00-9197-9450) No limit

Pre-tax parking clearing fund (246-00-9220-9200) No limit

University payroll fund (246-00-9800) No limit

University federal fund (246-00-3141-3140) No limit

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: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

Coronavirus relief federal fund (246-00-3753) No limit
Governor’s emergency education relief fund (246-00-3638) No limit
American rescue plan – state fiscal relief – federal fund (246-00-3756) No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).

Sec. 100.

KANSAS STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (367-00-1000-0003)\$112,359,154

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made by the above agency from such account during the fiscal year ending June 30, 2024, not to exceed \$5,000,000, for biomanufacturing training and education: *Provided, however*, That all such expenditures for biomanufacturing training and education shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.

Midwest institute for comparative stem cell biology (367-00-1000-0170).....\$127,178

Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Global food systems (367-00-1000-0190).....\$5,030,579

Provided, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal

year 2024: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2024 shall be matched by Kansas state university on a \$1-for-\$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2024.

Kansas state university
polytechnic campus (including
official hospitality) (367-00-1000-0150)\$7,753,914

Provided, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$3,949,980
Biomanufacturing institute\$5,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181) No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (367-00-2472-2500) No limit

General fees fund (367-00-2062-2000) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200) No limit

Restricted fees fund (367-00-2520-2080)..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; polytechnic campus; motor pool; music; professorships; student activities fees; biology sales and services; chemistry; field camps; physics storeroom; sponsored research, sponsored instruction, sponsored public service, equipment and facility grants; contract-post office; library collections; sponsored construction or improvement projects; attorney, educational and personal development, human capital services; student financial assistance; application for undergraduate programs; speech and hearing; gifts; human development

and family research and training; college of education – publications and services; guaranteed student loan application processing; auditorium receipts; catalog sales; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; college of health and human sciences storeroom; college of health and human sciences sales; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; printing; short courses and conferences; student government association receipts; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; departmental student organization receipts; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study

program fund (367-00-2540-2090).....	No limit
Service clearing fund (367-00-6003-7000).....	No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research

overhead fund (367-00-2901-2160) No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund (367-00-5708-4830) No limit

Housing system operations fund (367-00-5163) No limit

Provided, That expenditures may be made from the housing system operations fund for official hospitality.

State emergency fund –

building repair (367-00-2451-2451) No limit

Housing system repair, equipment and improvement fund (367-00-5641-4740) No limit

Coliseum system repair, equipment and improvement fund (367-00-5642-4750) No limit

Mandatory retirement annuity

clearing fund (367-00-9137-9310) No limit

Student health fees fund (367-00-5109-4410) No limit

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

Provided, That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.

Kan-grow engineering	
fund – KSU (367-00-2154-2154).....	No limit
Payroll clearing fund (367-00-9801-9000).....	No limit
Fed ext emp clearing fund –	
employee deduct (367-00-9182-9340).....	No limit
Fed ext emp clearing fund –	
employer deduct (367-00-9183-9350)	No limit
Temp dep fund	
external source (367-00-9065-9305)	No limit
Nine month payroll	
clearing fund (367-00-7710-7270)	No limit
Interest bearing grants fund (367-00-2630-2630).....	No limit

Provided, That, on or before the 10th day of each month commencing during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Student union renovation expansion	
revenue fund (367-00-5191-4650)	No limit
Coronavirus relief federal fund (367-00-3753).....	No limit
Governor’s emergency education	
relief fund (367-00-3638)	No limit
American rescue plan – state fiscal relief –	
federal fund (367-00-3756)	No limit

Sec. 101.

**KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS**

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

Cooperative extension service (including official hospitality) (369-00-1000-1020)\$25,709,245

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided further, That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from such moneys available in such account in an amount of not less than \$5,000,000 for the KSU 105 project.

Agricultural experiment stations (including official hospitality) (369-00-1000-1030)\$32,950,695

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Wildfire suppression/state forest service (369-00-1000-1040)\$669,855

Provided, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director’s office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to

the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2024: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150)..... No limit
Sponsored research

 overhead fund (369-00-2921-1200) No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance

 payment fund (369-00-3872-1360) No limit

Smith-Lever special program grant –

 federal fund (369-00-3047-1330) No limit

Faculty of distinction

 matching fund (369-00-2479-1190) No limit

Agricultural land

 use-value fund (369-00-2364-1180) No limit

University federal fund (369-00-3144) No limit

Coronavirus relief federal fund (369-00-3753) No limit

American rescue plan – state fiscal relief –

 federal fund (369-00-3756) No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Agricultural experiment

 stations (369-00-1900-1900).....\$321,663

Sec. 102.

KANSAS STATE UNIVERSITY EXTENSION

SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Cooperative extension service (including

 official hospitality) (369-00-1000-1020)\$5,000,000

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June

30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That the above agency shall prepare a written report specifying and accounting for all moneys expended from such account during fiscal year 2024 for the KSU 105 project: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 13, 2025.

Sec. 103.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to prepare a written report specifying and accounting for all moneys expended during fiscal year 2025 for the KSU 105 project: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 12, 2026.

Sec. 104.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

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

Operating expenditures (including official hospitality) (368-00-1000-5003)\$11,576,417

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

Operating enhancement (368-00-1000-5023).....\$5,255,674

Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas (368-00-1000-5013).....\$650,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (including official hospitality) (368-00-5160-5300) No limit

Faculty of distinction matching fund (368-00-2478-5220) No limit

Restricted fees fund (368-00-2590-5530)..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; departmental student organization receipts; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund (368-00-7521-5710)..... No limit

University federal fund (368-00-3143-5140)..... No limit

Coronavirus relief federal fund (368-00-3753) No limit

Governor’s emergency education relief fund (368-00-3638)	No limit
American rescue plan – state fiscal relief – federal fund (368-00-3756)	No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 105.

EMPORIA STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (379-00-1000-0083)	\$5,543
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(b) On the effective date of this act, of the \$178,074 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the reading recovery program account (379-00-1000-0100), the sum of \$3,924 is hereby lapsed.

(c) On the effective date of this act, of the \$150,283 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the nat’l board cert/future teacher academy account (379-00-1000-0200), the sum of \$1,619 is hereby lapsed.

Sec. 106.

EMPORIA STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (379-00-1000-0083)	\$36,982,329
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nat’l board cert/future teacher academy (379-00-1000-0200).....	\$322,815
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Provided, That expenditures may be made from the nat’l board cert/future teacher academy account for official hospitality.

Emporia state model investment.....	\$9,000,000
SMaRT Kansas 21	\$510,000
Cybersecurity academic programming center	\$1,100,000

Student aid for financial need.....\$1,227,910

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186) No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal

school fund (379-00-7101-7000) No limit

Restricted fees fund (379-00-2526-2040)..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of

the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund (379-00-6004) No limit

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
American rescue plan – state fiscal relief –	
federal fund (379-00-3756)	No limit

Sec. 107.

EMPORIA STATE UNIVERSITY

(a) Any unencumbered balance in the Emporia state model investment account of the state general fund in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That the above agency shall prepare a written report specifying and accounting for all moneys expended from such account: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 8, 2025.

Sec. 108.

PITTSBURG STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (385-00-1000-0063)\$39,863,382

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

School of construction (385-00-1000-0200)\$777,182

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

Polymer science program (385-00-1000-0300)\$1,037,261

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

NIMA manufacturing prove-out facility\$4,000,000

Student aid for financial need.....\$1,818,970

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060)No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010)No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*, That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences

and meetings held on campus; library service collections and fines; grants from other state agencies; Midwest Quarterly; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further,* That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005) No limit
Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund (385-00-5126-5010) No limit
Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further,* That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510) No limit
 Faculty of distinction matching fund (385-00-2474-2400) No limit

Perkins student loan fund (385-00-7509-7020)	No limit
Sponsored research	
overhead fund (385-00-2903-2903)	No limit
College work study	
federal fund (385-00-3498-3030)	No limit
Nursing student loan fund (385-00-7508-7010).....	No limit
Housing system	
suspense fund (385-00-5703-5170).....	No limit
Housing system	
operations fund (385-00-5165-5050)	No limit
Housing system repairs, equipment and	
improvement fund (385-00-5646-5160)	No limit
Kansas comprehensive	
grant fund (385-00-7227-7200).....	No limit
Kansas career work study	
program fund (385-00-2552-2060).....	No limit
Nine month payroll	
clearing fund (385-00-7713-7030)	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520)	No limit
Federal receipts	
suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570)	No limit
Mandatory retirement annuity	
clearing fund (385-00-9139-9540)	No limit
Voluntary tax shelter annuity	
clearing fund (385-00-9166-9550)	No limit
Agency payroll deduction	
clearing fund (385-00-9195-9560)	No limit
Pre-tax parking clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803)	No limit
University federal fund (385-00-3146).....	No limit
<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
 American rescue plan – state fiscal relief –
 federal fund (385-00-3756) No limit

(c) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$145,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596).

Sec. 109.

UNIVERSITY OF KANSAS

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

Operating expenditures (including
 official hospitality) (682-00-1000-0023)\$154,334,769

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

Geological survey (682-00-1000-0170)\$8,872,417

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2024, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2024 for: (1) Seismic surveys in an amount not less than \$100,000; (2) critical program restoration including operating costs to fund six full-time positions, two scientists and one data technician in the water resources program, who will operate out of field offices in southwest Kansas, two scientists in the energy program and one software developer in the digital technology program, in an amount not less than \$1,100,000; and (3) critical staff retention in an amount of not less than \$800,000.

Umbilical cord

matrix project (682-00-1000-0370)\$147,719

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$4,099,160

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities

revenue fund (682-00-5175-5070) No limit

Provided, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction

matching fund (682-00-2475-2500) No limit

General fees fund (682-00-2107-2000) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000) No limit

Sponsored research

overhead fund (682-00-2905-2160) No limit

Law enforcement training

center fund (682-00-2133-2020) No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*, That expenditures may be made from the law enforcement training center fund for the acquisition of tracts of land.

Law enforcement training center

fees fund (682-00-2763-2700) No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545) No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art

camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006)	No limit
<i>Provided,</i> 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 resc 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	
KDFFA fund (682-00-2864-2860).....	No limit
Student union renovation	
revenue fund (682-00-5171-5060).....	No limit
Parking facility KDFFA 1993G	
revenue fund (682-00-5175-5070).....	No limit
Student health facility	
maintenance, repair and equipment	
fee fund (682-00-5640-5120).....	No limit
Coronavirus relief federal fund (682-00-3753).....	No limit
Governor’s emergency education	
relief fund (682-00-3638).....	No limit
American rescue plan – state fiscal relief –	
federal fund (682-00-3756).....	No limit

University of Kansas and Wichita state university

health collaboration fund No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050); loans for disadvantaged students fund (682-00-7510-7100).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....\$26,841

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

Sec. 110.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Geological survey (682-00-1000-0170).....\$850,000

Provided further, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2025, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2025 for critical program restoration including operating costs funding five full-time positions and two part-time positions, two scientists, a part-time scientist and two data technicians in the water resources program, one of whom will operate out of field offices in southwest Kansas, one part-time scientists in the energy program and one software developer in the digital technology program, in an amount not less than \$850,000.

Sec. 111.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, the \$30,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 101(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015) is hereby lapsed.

Sec. 112.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

Operating expenditures (including official hospitality) (683-00-1000-0503)\$114,583,832

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided further, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600).....\$4,488,171

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Midwest stem cell therapy center (683-00-1000-0800).....\$766,320

Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Rural health bridging (683-00-1000-1010).....\$140,000

Medical scholarships and loans psychiatry (683-00-1000-0610)\$970,000

Provided, That any unencumbered balance in the medical scholarships and loans psychiatry account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Rural health bridging psychiatry (683-00-1000-1015).....\$30,000

Provided, That any unencumbered balance in the rural health bridging psychiatry account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$1,120,150

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500) No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund (683-00-2072-2072)	No limit
Faculty of distinction matching fund (683-00-2476-2400)	No limit
Restricted fees fund (683-00-2551)	No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing; *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund (683-00-2926)	No limit
Kansas breast cancer research fund (683-00-2671-2660)	No limit
Sponsored research overhead fund (683-00-2907-2800)	No limit

Parking facility revenue fund –

KC campus (683-00-5176-5550)..... No limit

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

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 expen-

diture limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider	
assessment fund (683-00-2625-2650)	No limit
Graduate medical education administration	
reserve fund (683-00-5652-5640).....	No limit
University of Kansas medical center	
private practice foundation	
reserve fund (683-00-5659-5660).....	No limit
Robert Wood Johnson	
award fund (683-00-7328-7530).....	No limit
Federal scholarship for disadvantaged	
students fund (683-00-3094-3100).....	No limit
Temporary deposit fund (683-00-9058-9510)	No limit
Mandatory retirement annuity	
clearing fund (683-00-9143-9520)	No limit
Voluntary tax shelter annuity	
clearing fund (683-00-9168-9530)	No limit
Agency payroll deduction	
clearing fund (683-00-9194-9600)	No limit
Pre-tax parking clearing fund (683-00-9225-9200).....	No limit
University payroll fund (683-00-9807)	No limit
University federal fund (683-00-3148).....	No limit
Leveraging educational assistance partnership	
federal fund (683-00-3223-3200).....	No limit
Johnson county education research	
triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan	
repayment fund (683-00-7233-7233).....	No limit
Rural health bridging	
psychiatry fund (683-00-2218-2218).....	No limit
Cancer center research (683-00-2551-2700)	No limit
Graduate medical education	
reimbursement fund (683-00-2918-3050).....	No limit
Coronavirus relief federal fund (683-00-3753)	No limit
Governor's emergency education	
relief fund (683-00-3638)	No limit
Cancer research and public information	
trust fund (683-00-2925-2925).....	No limit
American rescue plan – state fiscal relief –	
federal fund (683-00-3756)	No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the

chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2024, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 113.

WICHITA STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (715-00-1000-0003)\$75,748,384

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

Aviation research (715-00-1000-0015)\$10,000,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the aviation research account expended for fiscal year 2024 shall be matched by Wichita state university on a \$1-for-\$1 basis from other moneys of Wichita state university: *And provided further*, That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2024.

Technology transfer facility (715-00-1000-0005)\$2,000,000

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

Aviation infrastructure (715-00-1000-0010).....\$5,200,000

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That during the fiscal year ending June

30, 2024, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2024 by Wichita state university by this or other appropriation act of the 2023 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2024 may only be expended for training and equipment expenditures of the national center for aviation training.

Student aid for financial need.....\$4,246,340

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112)..... No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558)..... No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at

the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008) No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction

matching fund (715-00-2477-2400) No limit

Kansas career work study

program fund (715-00-2536-2020)..... No limit

Scholarship funds fund (715-00-7211-7000)..... No limit

Sponsored research

overhead fund (715-00-2908-2080) No limit

Economic opportunity act –

federal fund (715-00-3265-3100)..... No limit

Educational opportunity grant –

federal fund (715-00-3266-3110)..... No limit

Nine month payroll clearing

account fund (715-00-7717-7030)..... No limit

Pell grants federal fund (715-00-3366-3120) No limit

Housing system

suspense fund (715-00-5705-5160)..... No limit

WSU housing system depreciation and

replacement fund (715-00-5800-5260)..... No limit

National direct student

loan fund (715-00-7519-7010)..... No limit

WSU housing systems

revenue fund (715-00-5100-5250) No limit

WSU housing system

surplus fund (715-00-5620-5270)..... No limit

University federal fund (715-00-3149-3140)..... No limit

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.

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 KDFFA bond revenue fund (715-00-5148-5000)	No limit
Parking system project maintenance KDFFA revenue bond fund (715-00-5159-5040)	No limit
Coronavirus relief federal fund (715-00-3753)	No limit
Governor’s emergency education relief fund (715-00-3638)	No limit
American rescue plan – state fiscal relief – federal fund (715-00-3756)	No limit
Wichita state university and university of Kansas health collaboration fund	No limit

Sec. 114.

STATE BOARD OF REGENTS

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

Tuition waivers (561-00-1000-1650).....\$150,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023; *Provided further*, That notwithstanding the provisions of K.S.A. 75-4364(d), and amendments thereto, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement of claims up to the amount of appropriation available for such waivers in fiscal year 2023.

(b) On the effective date of this act, during the fiscal year ending June 30, 2023, in addition to the provisions of section 160(a) of chapter 81 of the 2022 Session Laws of Kansas, the state board of regents, with the approval of the director of the budget, is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to the following demolition of buildings accounts of the state general fund, which are hereby created: The university of Kansas demolition of buildings; the university of Kansas medical center demolition of build-

ings; Kansas state university demolition of buildings; Kansas state university polytechnic campus demolition of buildings; Kansas state university veterinary medical center demolition of buildings; Kansas state university extension systems and agriculture research programs demolition of buildings; Wichita state university demolition of buildings; Emporia state university demolition of buildings; Pittsburg state demolition of buildings; and Fort Hays state university demolition of buildings: *Provided*, That all moneys transferred to such accounts are appropriated for the fiscal year ending June 30, 2023, and shall be expended by such institutions for demolition projects approved by the state board of regents: *And provided further*, That the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such transfer to the director of the budget and to the director of legislative research.

(c) On the effective date of this act, the provisions of section 110(a) of chapter 81 of the 2022 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 115.

STATE BOARD OF REGENTS

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

Operating expenditures (including
 official hospitality) (561-00-1000-0103)\$5,009,794

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, during fiscal year 2024, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2024 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2024, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from

the operating expenditures (including official hospitality) account for fiscal year 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2024 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2024, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2024 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education

commission (561-00-1000-0250).....	\$115,000
State scholarship program (561-00-1000-4300).....	\$3,035,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 74-32,239, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the

amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500)\$35,258,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis:

[†]

Ethnic minority

scholarship program (561-00-1000-2410).....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas work-study program (561-00-1000-2000)\$546,813

Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600)\$175,335

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

Military service scholarships (561-00-1000-1310)\$500,314

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship

program (561-00-1000-0800)\$3,094,046

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

National guard educational

assistance (561-00-1000-1300)\$5,400,000

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical

workforce grant (561-00-1000-2200)\$114,075

Provided, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nursing student scholarship

program (561-00-1000-4100)\$417,255

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Optometry education program (561-00-1000-1100)\$107,089

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

Municipal university

operating grant (561-00-1000-1010)\$14,000,000

Adult basic education (561-00-1000-0900)\$1,457,031

Postsecondary tiered technical education

state aid (561-00-1000-0760)\$66,064,478

Provided, That, notwithstanding the provisions of K.S.A. 71-1801 through 71-1810, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$915,928; Barton community college, \$3,140,667; Butler community college, \$4,492,663; Cloud county community college, \$1,217,936; Coffeyville community college, \$1,044,337; Colby community college, \$1,364,880; Cowley community college, \$2,043,860; Dodge City community college, \$955,822; Flint Hills technical college, \$1,821,433; Fort Scott community college, \$1,423,883; Garden City community college, \$1,134,582; Highland community college, \$1,549,554; Hutchinson community college, \$5,640,548;

Independence community college, \$399,192; Johnson County community college, \$7,940,462; Kansas City, Kansas community college, \$4,408,372; Labette community college, \$1,056,481; Manhattan Area technical college, \$2,028,420; Neosho county community college, \$1,468,764; north central Kansas technical college, \$2,891,287; northwest Kansas technical college, \$2,014,074; Pratt community college, \$1,141,410; Salina area technical college, \$1,675,677; Seward county community college, \$1,108,653; institute of technology at Washburn university, \$3,718,573; and Wichita state university campus of applied sciences and technology, \$9,467,020.

Non-tiered course credit

hour grant (561-00-1000-0550)\$95,407,915

Provided, That expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$4,006,236; Barton community college, \$8,049,846; Butler community college, \$14,515,023; Cloud county community college, \$3,013,747; Coffeyville community college, \$1,628,863; Colby community college, \$1,734,353; Cowley community college, \$4,185,440; Dodge City community college, \$1,609,972; Flint Hills technical college, \$799,475; Fort Scott community college, \$1,967,561; Garden City community college, \$2,030,083; Highland community college, \$3,958,591; Hutchinson community college, \$6,615,906; Independence community college, \$1,147,118; Johnson County community college, \$17,741,594; Kansas City, Kansas community college, \$5,721,958; Labette community college, \$2,113,258; Manhattan Area technical college, \$765,308; Neosho county community college, \$2,147,269; north central Kansas technical college, \$902,820; northwest Kansas technical college, \$1,048,581; Pratt community college, \$1,427,408; Salina area technical college, \$802,707; Seward county community college, \$1,647,518; institute of technology at Washburn university, \$429,410; and Wichita state university campus of applied sciences and technology, \$5,397,870.

Technology equipment at community colleges and

Washburn university (561-00-1000-0500)\$398,475

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Career technical education capital

outlay aid (561-00-1000-0310)\$4,871,585

Provided, That all such moneys in the career technical education capital outlay aid account shall be distributed equally among the technical

colleges and any community college that offers one or more technical programs as defined in K.S.A. 71-1802, and amendments thereto: *Provided further*, That all expenditures from such account shall require a local match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either a nonstate or private donation.

Tuition waivers (561-00-1000-1650).....\$500,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2024.

Nurse educator

grant program (561-00-1000-4120).....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies

grant program (561-00-1000-4130).....\$1,787,193

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas post-secondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of nursing faculty and laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Tuition for technical education (561-00-1000-0120)\$39,850,000

Provided, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year

2024, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2024 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course: *And provided further*, That, such expenditures shall be in an amount not less than \$500,000: *And provided further*, That during the fiscal year ending June 30, 2024, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement: *And provided further*, That upon determining the amount of reimbursement for each eligible college, such amount shall be increased by 5% to assist in covering any rising personnel costs.

Governor’s scholars program (561-00-1000-0950).....\$20,000

Provided, That any unencumbered balance in the governor’s scholars program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

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

Computer science preservice

educator grant (561-00-1000-4700)\$1,000,000

Provided, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Community colleges’ and technical colleges’

cybersecurity and IT infrastructure\$6,500,000

Provided, That all expenditures from the community colleges’ and technical colleges’ cybersecurity and IT infrastructure account shall be made to provide to each community college, technical college and Washburn institute of technology \$250,000: *Provided further*, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*, That, of

such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity upgrades and improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$6,500,000 as available from such funds to the special revenue fund of the above agency and as designated by the chief executive officer of the state board of regents for the purpose of funding such information technology and cybersecurity upgrades and improvements: *And provided further*, That on the effective date of such transfer, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the community colleges' and technical colleges' cybersecurity and IT infrastructure account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Washburn ensuring pathways to student success.....\$437,700

Washburn university student aid for financial need.....\$1,784,260

Two year college apprenticeship act\$14,300,000

Provided, That all expenditures from the two year college apprenticeship act account shall be distributed to the community colleges and technical colleges based on the number of full-time students enrolled at each such college during school year 2022-2023.

Community college capital outlay aid\$5,000,000

Provided, That all such moneys in the community college capital outlay aid account shall be distributed to any community college that does not offer technical programs as defined in K.S.A. 71-1802, and amendments thereto, based on the number of full-time students enrolled at each such college during school year 2022-2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship
 repayment fund (561-00-7216-6300).....No limit

KAN-ED services fee fund (561-00-2814-2814)	No limit
Earned indirect costs	
fund – federal (561-00-3642-3600)	No limit
Faculty of distinction	
program fund (561-00-7200-7050).....	No limit
Paul Douglas teacher scholarship	
fund – federal (561-00-3879-3950)	No limit
GED credentials processing	
fees fund (561-00-2151-2100)	No limit
Tuition waiver gifts, grants and	
reimbursements fund (561-00-7230-7230).....	No limit
Adult basic education –	
federal fund (561-00-3042-3000)	No limit
Truck driver training fund (561-00-2172-4900)	No limit
State scholarship discontinued	
attendance fund (561-00-7213-6100)	No limit
Kansas ethnic minority fellowship	
program fund (561-00-7238-7600).....	No limit
Private postsecondary educational institution degree	
authorization expense reimbursement	
fee fund (561-00-2643-3300)	No limit
Nursing service scholarship	
program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100)	No limit
Conversion of materials and	
equipment fund (561-00-2433-3200).....	No limit
Motorcycle safety fund (561-00-2366-2360)	No limit
Financial aid services	
fee fund (561-00-2280-2800)	No limit
<i>Provided</i> , That expenditures may be made from the financial aid services	
fee fund for operating expenditures directly or indirectly related to the	
operating costs associated with student financial assistance programs ad-	
ministered 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 ac-	
tivities 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 fur-</i>	
<i>ther</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 amend-	
ments thereto, and shall be credited to the financial aid services fee fund.	
Inservice education workshop fee fund (561-00-2266)	No limit

Optometry education	
repayment fund (561-00-7203-7100).....	No limit
Teacher scholarship	
repayment fund (561-00-7205-7200).....	No limit
Nursing service scholarship	
repayment fund (561-00-7210-7400).....	No limit
Nurse educator service scholarship	
repayment fund (561-00-7231-7300).....	No limit
ROTC service scholarship	
repayment fund (561-00-7232-7232).....	No limit
Carl D. Perkins vocational	
and technical education –	
federal fund (561-00-3539-3539).....	No limit
Kansas national guard	
educational assistance program	
repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state	
postsecondary educational institution	
fee fund (561-00-2614-2610).....	No limit
USAC E-rate program	
federal fund (561-00-3920-3920).....	No limit
Postsecondary education performance-based	
incentives fund (561-00-2777-2777).....	No limit
Private donations, gifts, grants	
bequest fund (561-00-7262-7700).....	No limit
Coronavirus relief federal fund (561-00-3753).....	No limit
Governor’s emergency education	
relief fund (561-00-3638).....	No limit
Kansas high school equivalency credential	
processing fee fund (561-00-2832-2832).....	No limit
American rescue plan – state fiscal relief –	
federal fund (561-00-3756).....	No limit
Transportation research fund.....	No limit

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(c) During the fiscal year ending June 30, 2024, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2024, to another item of appropriation in an account of the state general fund for fiscal year 2024. The chief executive officer of the state board of regents

shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, “account” means any account of the state general fund of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university Kansas state university polytechnic campus, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for such state educational institution as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2024: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order

to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2024 regular session of the legislature.

(2) As used in this subsection, “state educational institution” includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

SEDIF – career technical education capital
outlay aid (561-00-1900-1950)\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures from the SEDIF – career technical education capital outlay aid account for each grant of career technical education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and
internship program (561-00-1900-1960)\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2024.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265
Community and technical college
competitive grants (561-00-1900-1980)\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1-for-\$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency

from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to implement the legislative intent for fiscal year 2025, to fully implement the funding formula for the community colleges and technical colleges concerning the postsecondary tiered technical education state aid and non-tiered course credit hour grants.

(g) (1) In addition to the other purposes for which expenditures may be made by any postsecondary educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for such postsecondary educational institution as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by such postsecondary educational institution from such moneys for fiscal year 2024 for the purpose of deeming any person who is enrolled as a member of the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, the Prairie Band Potawatomi Nation, the Iowa Tribe of Kansas, the Sac and Fox Nation of Missouri in Kansas and Nebraska or of indigenous nations with historical connections to Kansas territories named in this subsection, regardless of the residence of such person prior to admission at a postsecondary educational institution, as a resident of this state for the purpose of tuition and fees for attendance at any postsecondary educational institution.

(2) As used in this subsection:

(A) “Postsecondary educational institution” means the same as defined in K.S.A. 74-3201b, and amendments thereto; and

(B) “indigenous nations with historical connections to Kansas territories” means the following federally recognized tribes: Apache Tribe of Oklahoma, the Cheyenne and Arapaho Tribes of Oklahoma, the Cherokee Nation, the Cheyenne and Arapaho Tribes of Oklahoma, the Chippewa, the Comanche Nation of Oklahoma, the Delaware Tribe of Indians, the Kaw Nation of Oklahoma, the Kiowa Indian Tribe of Oklahoma, the Miami Tribe of Oklahoma, the Oneida Nation, the Oneida Indian Nation, the Osage Nation, the Otoe-Missouria Tribe of Indians of Oklahoma, the Ottawa Tribe of Oklahoma, the Little River Band of Ottawa Indians, the Grand Traverse Bay Band of Ottawa and Chippewa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Band of Odawa Indians, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Michigan Bands of the Ottawa/Odawa, the Pawnee Nation of Oklahoma, the Peoria Tribe of Indians of Oklahoma, the Quapaw Tribe of Indians, the Shawnee Tribe, the Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie) of Oklahoma, and the Wyandotte Nation.

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(j) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements at state universities, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$5,000,000 as available from such funds to the special revenue fund of the above agency designated by the chief executive officer of the above agency for the purpose of funding such projects: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such projects shall not be funded pursuant to this subsection.

(k) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for information technology and cybersecurity upgrades and improvements at Washburn university, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consul-

tation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such information technology and cybersecurity projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$450,000 as available from such funds to the special revenue fund of the above agency designated by the chief executive officer of the above agency for the purpose of funding such projects: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such projects shall not be funded pursuant to this subsection.

Sec. 116.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Comprehensive grant program (561-00-1000-4500)\$35,258,338
Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis:

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Ethnic minority scholarship program (561-00-1000-2410)\$296,498
Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas work-study program (561-00-1000-2000)\$546,813
Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to

the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600)\$175,335

Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Military service scholarships (561-00-1000-1310)\$500,314

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025; *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$3,094,046

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

National guard educational assistance (561-00-1000-1300)\$5,400,000

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025; *Provided further*, That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical workforce grant (561-00-1000-2200)\$114,075

Provided, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Nursing student scholarship program (561-00-1000-4100).....\$417,255

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Optometry education program (561-00-1000-1100)\$107,089

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Tuition waivers (561-00-1000-1650).....\$500,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fis-

cal year 2025: *Provided further*, That notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2025.

Nurse educator grant program (561-00-1000-4120).....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Governor’s scholars program (561-00-1000-0950).....\$20,000

Provided, That any unencumbered balance in the governor’s scholars program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

Provided, That any unencumbered balance in the Kansas promise scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Computer science preservice educator grant (561-00-1000-4700)\$1,000,000

Provided, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Sec. 117.

DEPARTMENT OF CORRECTIONS

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

Lansing correctional facility –
facilities operations (400-00-1000-0303)\$746,226
Winfield correctional facility –
facilities operations (712-00-1000-0303)\$504,498

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Facility study KJCC (521-00-8100-8037).....\$60,000

(c) Notwithstanding the provisions of section 140 of chapter 81 of the 2022 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropri-

ated from the state general fund to the community corrections account (521-00-1000-0220) for fiscal year 2023 as authorized by section 112 and section 140 of chapter 81 and section 37 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys in fiscal year 2023 to authorize any county grant recipient to use such funding for the hiring of additional employees as may be necessary for such county’s community corrections program: *Provided*, That if any county grant recipient was withheld funds by the above agency in fiscal year 2023 because such grant recipient was planning to use such funds to hire additional employees, the above agency shall expend such withheld funds to such grant recipient for such purpose.

Sec. 118.

DEPARTMENT OF CORRECTIONS

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

Operating expenditures (521-00-1000-0603)	\$46,813,194
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220)	\$26,098,494
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Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2024 that supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510)	\$1,550,000
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Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs –

offender programs (521-00-1000-0151)	\$12,194,073
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Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Treatment and programs – medical and mental (521-00-1000-0152).....\$81,858,526

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024

Department of corrections hepatitis C treatment (521-00-1000-0153)\$6,000,000

Provided, That any unencumbered balance in the department of corrections hepatitis C treatment account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Treatment and programs – KUMC contract (521-00-1000-0154)\$2,120,373

Provided, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures – juvenile services (521-00-1000-0103)\$1,638,798

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

Evidence-based programs (521-00-1000-0050)\$12,524,942

Provided, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made from this account to conduct research into, and development of, evidence-based practices to reduce offender behavior and recidivism among juveniles: *Provided, however*, That the expenditures for such research and development shall not exceed \$1,000,000: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the evidence-based programs account for the jobs for America’s graduates-Kansas programs: *Provided, however*, That the expenditures for such programs shall not exceed \$3,500,000: *And provided further*, That expenditures shall be made by the above agency from such account to require jobs for American’s graduates-Kansas to submit a report to the Kansas juvenile justice oversight committee established by K.S.A. 75-52,161, and amendments

thereto, on or after June 15, 2024, but on or before June 30, 2024: *And provided further*, That such report shall include the number of youths served and performance outcomes.

Prevention and graduated sanctions
community grants (521-00-1000-0221).....\$23,101,389

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That moneys awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Purchase of services (521-00-1000-0300).....\$906,795

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

Debt service payments – data
systems replacement (521-00-1000-0702).....\$3,346,286

Topeka correctional facility –
facilities operations (660-00-1000-0303)\$21,430,596

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility –
facilities operations (313-00-1000-0303)\$44,921,997

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility –
facilities operations (400-00-1000-0303)\$41,535,294

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility –

facilities operations (177-00-1000-0303)\$20,023,071

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility –

facilities operations (712-00-1000-0303)\$23,113,646

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility –

facilities operations (581-00-1000-0303)\$21,614,285

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility –

facilities operations (195-00-1000-0303)\$39,156,165

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024 *Provided, however*, That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility –

facilities operations (408-00-1000-0303)\$15,899,213

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex –

facilities operations (352-00-1000-0303)\$23,817,040

Provided, That any unencumbered balance in the Kansas juvenile correctional complex –facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*,

That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*, That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$15,376,246

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

Juvenile crime

community prevention (521-00-1000-0051).....\$1,500,000

Provided, That, expenditures shall be made by such agency from such account during fiscal year 2024 to provide grants to communities for evidence-based juvenile crime prevention programs: *Provided further*, That, at least \$500,000 of such grants shall require a \$1-for-\$1 local or private match.

Equipment replacements (521-00-1000)\$756,213

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

Vehicle replacements (521-00-1000)\$899,293

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

[†]

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100) No limit

Justice reinvestment technical assistance

for state governments project –

federal fund (521-00-3758-3758) No limit

Residential substance abuse treatment –

federal fund (521-00-3006) No limit

Department of corrections forensic

psychologist fund (521-00-2492-2492)..... No limit

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
<i>Provided</i> , 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
<i>Provided</i> , 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
<i>Provided</i> , 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 2024 for purchase of services: *And provided further*, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for graduated sanctions.

Juvenile justice fee fund central office (521-00-2257) No limit
 Title IV-E fund (521-00-3337) No limit

Juvenile delinquency prevention
 trust fund (521-00-7322-7000) No limit

Title I program for neglected and
 delinquent children – federal fund (521-00-3009) No limit

Topeka correctional facility – community
 development block grant –
 federal fund (660-00-3669-3669) No limit

Topeka correctional facility –
 bureau of prisons contract –
 federal fund (660-00-3582-3200) No limit

Topeka correctional facility – general
 fees fund (660-00-2090-2090) No limit

Hutchinson correctional facility – general
 fees fund (313-00-2051-2000) No limit

Lansing correctional facility – general
 fees fund (400-00-2040-2040) No limit

Ellsworth correctional facility – general fees fund (177-00-2227-2000)	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000)	No limit
Norton correctional facility – general fees fund (581-00-2238-2000)	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000)	No limit
Larned correctional mental health facility – general fees fund (408-00-2145-2000)	No limit
Kansas juvenile correctional complex – fee fund (352-00-2321-2300)	No limit
Kansas juvenile correctional complex – gifts, grants and donations fund (352-00-7016-7000)	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund (352-00-3009)	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex (352-00-3057-3057)	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex (352-00-3529-3529)	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex (352-00-3530-3530)	No limit
Community corrections special revenue fund (521-00-2447-2447)	No limit
Medical assistance program – federal fund (521-00-3414)	No limit
Byrne grant – federal fund (521-00-3353-3200)	No limit
ICJR – federal fund	No limit
Second chance act reentry initiative – federal fund (521-00-3985-3901)	No limit
Coronavirus relief fund – federal fund (521-00-3756)	No limit
Prison rape elimination act (PREA) justice assistance grant – federal fund (521-00-3758)	No limit
Violence against women – federal fund (521-00-3082)	No limit
Distance learning and telemedicine – federal fund (521-00-3025)	No limit

Elementary & secondary schools emergency relief – federal fund (521-00-3638)	No limit
Economic adjustment assistance – federal fund (521-00-3415)	No limit
Detection & mitigation of COVID-19 in confinement facilities – federal fund (521-00-3649)	No limit
JRI technical assistance & training – federal fund.....	No limit

(c) During the fiscal year ending June 30, 2024, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2024 from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2024 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2024 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2023, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2023.

(f) During the fiscal year ending June 30, 2024, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the

department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2024, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) Notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2024, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence-based programs account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,911 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the El Dorado correctional facility – general fees fund (195-00-2252-2000) of the department of corrections.

(j) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$57,084 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Lansing correctional facility – general fees fund (400-00-2040-2040) of the department of corrections.

(k) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$122,969 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Norton correctional facility – general fees fund (581-00-2238-2000) of the department of corrections.

(l) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$91,313 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Topeka correctional facility – general fees fund (660-00-2090-2090) of the department of corrections.

Sec. 119.

DEPARTMENT OF CORRECTIONS

(a) Any unencumbered balance in the pathways to purpose pilot program account of the state general fund for the above agency in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That expenditures shall be made by the above agency from the

pathways to purpose pilot program account during fiscal year 2025 to continue such pilot program subject to the provisions in section 118(a).

Sec. 120.

DEPARTMENT OF CORRECTIONS

(a) Any unencumbered balance in the pathways to purpose pilot program account of the state general fund for the above agency in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided*, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2026 to continue such pilot program subject to the provisions in section 118(a) through December 1, 2025: *Provided further*, That the above agency shall submit a report to the Kansas legislature on or before June 30, 2026, on the impact of such pilot program: *And provided further*, That such report shall include, but not be limited to, the following: (1) The number and location of pilot program sites; (2) the number of pilot program participants selected to participate at each site and a description of such participant's substance use disorder and individual opioid use disorder treatment plans prior to and upon entering such pilot program, ensuring that such participants are not individually identified; (3) identification of the specific prescription digital therapeutics prescribed to treat participants and an evaluation of such therapeutics effectiveness, as measured by the successful completion of the participants' individual treatment goals; (4) an explanation of whether and how the prescription digital therapeutics prescribed to participants improved such participant's access to treatment; (5) a review of participant satisfaction with the prescription digital therapeutics prescribed for such participant's treatment; (6) the impact of the pilot program on issues related to health outcomes and the hospitalization, if any, of participants, as compared to the participants' population at large; (7) the successes and challenges of the pilot program; (8) any recommendations for future coverage of prescription digital therapeutics by state-funded healthcare programs, along with a cost-benefit analysis for such coverage; and (9) any other information the above agency deems relevant in examining the effectiveness of use of the prescription digital therapeutics.

Sec. 121.

ADJUTANT GENERAL

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

Disaster relief (034-00-1000-0200).....\$1,600,000

Sec. 122.

ADJUTANT GENERAL

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

Operating expenditures (034-00-1000-0053).....\$6,066,716

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500.

Civil air patrol – operating expenditures (034-00-1000-0103).....\$42,236

Disaster relief (034-00-1000-0200).....\$3,400,000

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

Military activation payments (034-00-1000-0300).....\$6,000

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 75-3228, and amendments thereto.

Kansas military emergency relief (034-00-1000-0400).....\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Office of emergency communication (034-00-1000-0800).....\$297,000

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

Any unencumbered balance in excess of \$100 as of June 30, 2023, each of the following accounts is hereby reappropriated for fiscal year 2024: Force protection (034-00-1000-0500); and calibrators decommission and replacement (034-00-1000-0110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund..... No limit
General fees fund (034-00-2102) No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications
fund (034-00-2496-2496) No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency’s communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency’s communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency’s communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund –
military division (034-00-2400-2030) No limit
Adjutant general expense fund (034-00-2357)..... No limit
State asset forfeiture fund (034-00-2498-2498) No limit

State emergency fund (034-00-2437)	No limit
State emergency fund weather disasters 5/4/2007 (034-00-2441)	No limit
State emergency fund weather disasters 12/06, 7/07 (034-00-2445)	No limit
Disaster grants – public assistance federal fund (034-00-3005)	No limit
National guard military operations/maintenance federal fund (034-00-3055-3300)	No limit
Econ adjustment/military installation federal fund (034-00-3196-3196)	No limit
Disaster assistance to individual/household federal fund (034-00-3405-3405)	No limit
Interoperability communication equipment fund (034-00-3449-3449).....	No limit
Pre-disaster mitigation – federal fund (034-00-3268-3269)	No limit
Hazard material training and planning – federal fund (034-00-3121-3310)	No limit
State homeland security program federal fund (034-00-3629-3629)	No limit
Nuclear safety emergency management fee fund (034-00-2081-2200)	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2024 pursuant to agreements, which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal (034-00-2152)	No limit
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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
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.	
Emergency management assistance compact federal fund (034-00-3609-3605)	No limit
Public safety interoperable communications grant program federal fund (034-00-3340-3340)	No limit
Military construction national guard federal fund (034-00-3192-3192)	No limit
National guard civilian youth opportunities federal fund (034-00-3193-3193)	No limit
Hazard mitigation grant federal fund (034-00-3019)	No limit
Citizen corps federal fund (034-00-3341-3341)	No limit
Law enforcement terrorism prevention program federal fund (034-00-3613-3600)	No limit
Safe and drug-free schools and communities national programs federal fund (034-00-3569-3569)	No limit

Great plains joint regional training center
fee fund (034-00-2688-2688) No limit

Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program –
federal fund (034-00-3576-3576) No limit
Military honors funeral fund (034-00-2789-2789) No limit

Provided, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2024 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant –
federal fund (034-00-3320-3320) No limit
Kansas national guard counter drug state
forfeiture fund No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to

other positions within the adjutant general’s department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2024 made by this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2024 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2023, the director of accounts and reports shall transfer all moneys in the national guard museum assistance fund (034-00-8306-8300) of the adjutant general to the armories and units general fees fund (034-00-2171-2010) of the adjutant general. On July 1, 2023, all liabilities of national guard museum assistance fund are hereby transferred to and imposed on the armories and units general fees fund, and the national guard museum assistance fund is hereby abolished.

Sec. 123.

STATE FIRE MARSHAL

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

American rescue plan – state fiscal relief –
 federal fund (234-00-3756) No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the state fire marshal is hereby authorized

to transfer moneys during fiscal year 2023 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00-2330-2000) to be expended during fiscal year 2023 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2022 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 124.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund (234-00-2330-2000)\$7,056,575

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund (234-00-2128-2128) No limit

Provided, That, during the fiscal year ending June 30, 2024, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the boiler inspection fee fund for fiscal year 2024 by the above agency by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from the boiler inspection fee fund for operating expenses of the above agency.

Gifts, grants and donations fund (234-00-7405-7400)..... No limit

Intragovernmental service fund (234-00-6160-6000) No limit

Explosives regulatory and training fund (234-00-2361-2361)..... No limit

State fire marshal liquefied petroleum gas fee fund (234-00-2608-2600) No limit

Emergency response fund (234-00-2589) No limit

Provided, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2024 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2024 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance

council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620)	No limit
Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630).....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund (234-00-2626-2610)	No limit
FFY12 HMEP grant – federal fund (234-00-3121-3121).....	No limit
Contract inspections fund (234-00-6122-6122)	No limit
Elevator safety fee fund (234-00-2854-2854).....	No limit

(b) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2024, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2024, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2024, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2024 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2024 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the

fire marshal fee fund for the remainder of fiscal year 2024 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(d) During the fiscal year ending June 30, 2024, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2024, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2024 are insufficient to meet in full the estimated expenditures for fiscal year 2024 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2024: *Provided*, That the aggregate amount of such transfers during fiscal year 2024 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2024, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal, may transfer funds from the contract inspections fund (234-00-6122-6122) of the state fire marshal to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(f) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal is hereby autho-

ized to transfer moneys during fiscal year 2024 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00- 2330-2000) to be expended during fiscal year 2024 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2022 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 125.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200) No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*, That notwithstanding the provisions of article 66 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency from the general fees fund, expenditures shall be made by the above agency from such fund to sell the personal sidearm, with a trigger lock, of a part-time state law enforcement officer, who has 10 years or more of service, to such officer, subject to the following: (1) Such officer is resigning; (2) the sale of such personal sidearm shall be for the amount equal to the total of the fair market value of the sidearm, as fixed by the superintendent, plus the cost of the trigger lock; and (3) no sale of a personal sidearm shall be made to any resigning officer unless the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *And provided further*, That all proceeds from the sale of personal sidearms and trigger locks shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

For patrol of Kansas
turnpike fund (280-00-2514-2500) No limit

Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor
vehicle fund (280-00-2317-2800) No limit

State forfeiture	
fund – pending (280-00-2264-2264)	No limit
Kansas highway patrol state	
forfeiture fund (280-00-2413-2100).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.</i>	
Drug tax stamp enforcement fund (280-00-2825-2825).....	No limit
Disaster grants – public assistance –	
federal fund (280-00-3005-3005)	No limit
Edward Byrne memorial assistance grant –	
state and local law enforcement –	
federal fund (280-00-3213-3213)	No limit
Bulletproof vest partner –	
federal fund (280-00-3216-3216)	No limit
Performance registration	
information system management –	
federal fund (280-00-3239-3239)	No limit
Commercial vehicle	
information system network –	
federal fund (280-00-3244-3244)	No limit
Highway planning and construction –	
federal fund (280-00-3333-3333)	No limit
KHP federal forfeiture –	
federal fund (280-00-3545)	No limit
<i>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.</i>	
High intensity drug trafficking areas –	
federal fund (280-00-3615-3000)	No limit
Homeland security program –	
federal fund (280-00-3629)	No limit
Edward Byrne memorial	
justice assistance grant –	
federal fund (280-00-3057)	No limit
Emergency ops cntr –	
federal fund (280-00-3808-3808)	No limit
State and community highway safety –	
federal fund (280-00-3815-3815)	No limit
State and local cybersecurity grant program fund	No limit

Gifts and donations fund (280-00-7331) No limit
Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program
 state fund (280-00-2208) No limit
Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program –
 federal fund (280-00-3073) No limit
Provided, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget (280-00-2368-2360) No limit

Highway safety fund (280-00-2217-2250) No limit

Capitol area security fund (280-00-6143-6100) No limit

Vehicle identification number
 fee fund (280-00-2213) No limit

Motor vehicle fuel and storeroom
 sales fund (280-00-6155-6200) No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol
 operations fund (280-00-2034-1100)\$63,406,017

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for neces-

sary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training center fund (280-00-2306) No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund (280-00-6144-6120) No limit

Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund: *And provided further*, That expenditures shall be made from the executive aircraft fund by the above agency in an amount not to exceed \$1,500,000 for the maintenance and operations of any aircraft of the above agency.

1122 program clearing fund (280-00-7280) No limit

Kansas highway patrol staffing and training fund (280-00-2211-2211) No limit

BAU fund (280-00-3092) No limit

Homeland sec grant prog fund (280-00-7280)..... No limit

DUI – IID designation fund..... No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer from

the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2023, and January 1, 2024, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$1,000,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol: *Provided, however,* that such transfers shall not result in an ending balance of less than \$2,800,000 in the motor carrier license fees fund of the state corporation commission during the fiscal year ending June 30, 2024.

(d) Except as provided further, on July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$15,851,504.25 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2024 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2024 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$8,200,000 from the state

highway fund (276-00-4100-4100) of the department of transportation to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol: *Provided*, That expenditures from the above transfer shall be made by the above agency to purchase and equip a new helicopter: *Provided however*, That such acquisition shall not exceed \$6,900,000: *Provided further*, That upon delivery of such new helicopter, the above agency shall station at least one helicopter at the troop T air operations base station supporting the Wichita area.

(h) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the executive aircraft fund (280-00-6144-6120) of the Kansas highway patrol for the purpose of maintaining and operating the executive aircraft.

Sec. 126.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

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

Byrne discretionary community fund..... No limit
Coronavirus emergency supplemental fund (083-00-3671)..... No limit

(b) On the effective date of this act, the balance in the principal and interest fund set up for the Kansas bureau of investigation forensic science center and held by the trustee, Security Bank of Kansas city, shall be deposited into the state general fund.

Sec. 127.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

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

Operating expenditures (083-00-1000-0083).....\$31,584,847

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated to the operating expenditures account for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200).....\$50,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state
forfeiture fund (083-00-2283) No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-3940) No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area –
federal fund (083-00-3349-3100) No limit

Federal grants – marijuana eradication –
federal fund (083-00-3350) No limit

eCitation national priority safety program –
federal fund (083-00-3092) No limit

Ncs-x grant – federal fund (083-00-3580-3580) No limit

Criminal justice information system
line fund (083-00-2457) No limit

Provided, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700)..... No limit
Kansas bureau of investigation motor

vehicle fund (083-00-2344-2050)..... No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials

fee fund (083-00-2077)..... No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*, That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*, That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140)..... No limit

Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other

personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures: *And provided further*, That expenditures from any moneys received from the Kansas criminal justice information system committee and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for training activities and official hospitality.

- Record check fee fund (083-00-2044-2010) No limit
Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*, That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.
- Intergovernmental service fund (083-00-6119-6100)..... No limit
- Agency motor pool fund (083-00-6117) No limit
- National criminal history improvement program
 federal fund (083-00-3189-3189) No limit

Public safety partnership and community policing federal fund (083-00-3218-3218)	No limit
Forensic DNA backlog reduction federal fund (083-00-3226-3226)	No limit
Coverdell forensic sciences improvement federal fund (083-00-3227-3227)	No limit
Anti-gang initiative federal fund (083-00-3229-3229)	No limit
Homeland security federal fund (083-00-3199).....	No limit
State homeland security program federal fund (083-00-3629-3629)	No limit
Convicted/arrestee DNA backlog reduction federal fund (083-00-3489-3489)	No limit
Disaster grants – public assistance federal fund (083-00-3005-3005)	No limit
Ed Byrne memorial justice assistance federal fund (083-00-3057)	No limit
Ed Byrne state/local law enforcement federal fund (083-00-3213-3213)	No limit
Violence against women – ARRA federal fund (083-00-3214)	No limit
AWA implementation grant program federal fund (083-00-3228-3228)	No limit
Ed Byrne memorial JAG – ARRA federal fund (083-00-3455-3455)	No limit
Convicted offender/arrestee DNA backlog reduction federal fund (083-00-3489-3489)	No limit
KBI-FBI reimbursement federal fund (083-00-3506-3506)	No limit
Project safe neighborhoods fund (083-00-3217-3217)	No limit
Social security administration reimbursement – federal fund (083-00-3560-3560)	No limit
Bulletproof vest partnership – federal fund (083-00-3216-3211)	No limit
Sexual assault kit grant – federal fund (083-00-3146-3146)	No limit
Crime victim assistance discretionary grant (083-00-3250-3260)	No limit
Opioid summit fund.....	No limit
Coronavirus emergency supplemental fund (083-00-3671).....	No limit
Byrne discretionary community fund.....	No limit

(c) During the fiscal year ending June 30, 2024, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2024 made by this act or other appropriation act of the 2023 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2024 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(d) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for replacement of a heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$910,000 for such heating, ventilation and air conditioning system and up to \$510,000 for such laboratory equipment as available from such funds to the special revenue fund of the above agency designated by the director of the Kansas bureau of investigation for the purpose of funding such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy

of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such heating, ventilation and air conditioning system at the Great Bend laboratory and laboratory equipment, then such heating, ventilation and air conditioning system at the Great Bend laboratory and laboratory equipment shall not be funded pursuant to this subsection.

Sec. 128.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emergency medical services
operating fund (206-00-2326-4000).....\$1,953,038

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant
payment fund (206-00-2396-2510) No limit

Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400) No limit

Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2024.

EMS criminal history and fingerprinting fund (206-00-2806-2806).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2024 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants and instructor-coordinators: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants and instructor-coordinators: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants and instructor-coordinators who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2024, as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2024 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the

Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2023, and January 1, 2024, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2024, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2024, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2024 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2024 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2024 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2024, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2024.

Sec. 129.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$1,170,264 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$24,518 is hereby lapsed.

Sec. 130.

KANSAS SENTENCING COMMISSION

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

Operating expenditures (626-00-1000-0303)\$1,405,235
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse

treatment programs (626-00-1000-0600)\$8,778,903
Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, notwithstanding the provisions of K.S.A. 2022 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2024, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201)..... No limit
Statistical analysis – federal fund (626-00-3600)..... No limit
Coronavirus relief fund (626-00-3753)..... No limit

Sec. 131.

KANSAS COMMISSION ON PEACE OFFICERS’
STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 125(a) of chapter 81 of the 2022 Session Laws of Kansas on the Kansas commission on peace officers’ standards and training fund (529-00-2583-2580) of the

Kansas commission on peace officers’ standards and training is hereby increased from \$750,259 to \$822,153.

Sec. 132.

KANSAS COMMISSION ON PEACE OFFICERS’ STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers’ standards and training fund (529-00-2583-2580).....\$916,965

Provided, That expenditures from the Kansas commission on peace officers’ standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund (529-00-2746-2700) No limit

Sec. 133.

KANSAS DEPARTMENT OF AGRICULTURE

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

Operating expenditures (046-00-1000-0053).....\$150,000
Soil health initiative (046-00-1000)\$200,000
Water resource cost share (046-00-1000).....\$65,758

Sec. 134.

KANSAS DEPARTMENT OF AGRICULTURE

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

Operating expenditures (046-00-1000-0053).....\$10,695,008

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided further, That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Meat and poultry inspection fee fund (046-00-2004-0700).....No limit

Entomology fee fund (046-00-2006-0900).....	No limit
Livestock market brand inspection fee fund (046-00-2007-2010)	No limit
Veterinary inspection fee fund (046-00-2009-2020)	No limit
Livestock brand fee fund (046-00-2011-2030).....	No limit
Grain commodity commission services fund (046-00-2018-1070).....	No limit
Water structures fund (046-00-2037-1075).....	No limit
Water structures – state highway fund (046-00-2043-1080).....	No limit
Kansas agricultural remediation fund (046-00-2095-1090).....	No limit
Dairy fee fund (046-00-2105-1015).....	No limit
Water resources cost fund (046-00-2110-1020)	No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Soil amendment fee fund (046-00-2117-1100).....	No limit
Agricultural liming materials fee fund (046-00-2118-1200)	No limit
Weights and measures fee fund (046-00-2165-1500)	No limit
Water appropriation certification fund (046-00-2168-1600).....	No limit
Agriculture seed fee fund (046-00-2187-2720).....	No limit
Chemigation fee fund (046-00-2194-1800).....	No limit
Animal disease control fund (046-00-2202-2500).....	No limit

Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund (046-00-2207-2050)	No limit
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Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300; *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Plant pest emergency response fund (046-00-2210-1805).....	No limit
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Water transfer hearing fund (046-00-2278-1900) No limit
 Publications fee fund (046-00-2322-2000) No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Market development fund (046-00-2331-2351) No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Trademark fund (046-00-2333-2360) No limit

Commercial industrial hemp act licensing

fee fund (046-00-2343-2343) No limit

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.

Conversion of materials and
 equipment fund (046-00-2402-2200)..... No limit
 Lodging fee fund (046-00-2456-2400) No limit
 Buffer participation
 incentive fund (046-00-2517-2510)..... No limit
 Land reclamation fee fund (046-00-2542-2090) No limit
 Petroleum inspection
 fee fund (046-00-2550-2550) No limit
 U.S. geological survey
 cooperative gauge agreement
 grants fund (046-00-2629-2800)..... No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Laboratory equipment fund (046-00-2710-2700) No limit
 Arkansas river gaging fund (046-00-2751-2751) No limit
 Laboratory testing services
 fee fund (046-00-2752-2752) No limit

Provided, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Compliance education fee fund (046-00-2757-2757) No limit

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2024, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And*

provided further, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Conference registration and
disbursement fund (046-00-2772-2101) No limit

Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Reimbursement and
recovery fund (046-00-2773-2294) No limit

Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Agricultural chemical
fee fund (046-00-2800-2900) No limit

Feeding stuffs
fee fund (046-00-2801-4000) No limit

Fertilizer fee fund (046-00-2802-4100)..... No limit

Pesticide use fee fund (046-00-2804-4300)..... No limit

Egg fee fund (046-00-2808-4600) No limit

Warehouse fee fund (046-00-2809-4700)..... No limit

Food safety fee fund (046-00-2813-4805)..... No limit

Pesticide disposal fund (046-00-2831-2831) No limit

Water structures emergency
fund (046-00-2868-2868)..... No limit

Meat and poultry inspection
fund – federal (046-00-3013-3100) No limit

NRCS grant CFDA
10.932 fund (046-00-3022-3903)..... No limit

Water structures NRCS
LIDAR grant (046-00-3081-3081) No limit

Market protection/
promotion fund (046-00-3104-3315) No limit

Homeland security grant –
federal fund (046-00-3199-3436) No limit

Cooperating technical partners –
federal fund (046-00-3203-3213) No limit

NRCS grant CFDA 10.931 fund (046-00-3228-3220)..... No limit

EPA pesticide performance partnership grant –
federal fund (046-00-3295-3290) No limit

Plant/animal disease and
pest control (046-00-3360) No limit

FEMA dam safety –
federal fund (046-00-3362-3353) No limit

USDA Kansas forestry service –
 federal fund (046-00-3426-3380) No limit
 Ag stats report fund (046-00-3427-3390) No limit
 National floodplain insurance assistance (CAP) –
 federal fund (046-00-3445-3330) No limit
 Food/drug administration/research (046-00-3462)..... No limit
 Specialty crop block grant fund (046-00-3463-3300) No limit
 Local food purchase agreement –
 federal fund (046-00-3662-3662) No limit
 Watershed protect approach/WTR
 RSRCE MGT fund (046-00-3889) No limit
 NRCS stream bank water quality –
 federal fund (046-00-3917) No limit
 NRCS grant CFDA
 10.069 fund (046-00-3952-3901)..... No limit
 NRCS grant CFDA
 10.924 fund (046-00-3953-3902)..... No limit
 Flx finding mdl coop
 agrmt fund (046-00-3954-3905) No limit
 NRCS grant CFDA
 10.912 fund (046-00-3955-3904)..... No limit
 Gifts and donations fund (046-00-7305-7000) No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the water plan project or projects specified, the following:

Interstate water issues (046-00-1800-0070)\$514,664

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

Water use (046-00-1800-0075)\$100,000

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

Basin management (046-00-1800-0080)\$650,174

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

Irrigation technology (046-00-1800-0088)\$550,000

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

Crop and livestock research (046-00-1800-0089)\$350,000

Provided, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Soil health initiative (046-00-1800-0090)\$400,000

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

Water resources

cost share (046-00-1800-1205)\$2,834,714

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2024 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2024 for the water resources cost share account.

Nonpoint source

pollution assistance (046-00-1800-1210)\$1,863,636

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Conservation district aid (046-00-1800-1220).....\$2,502,706

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

Kansas conservation reserve enhancement

program fund (046-00-1800-1225).....\$550,727

Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Watershed dam construction (046-00-1800-1240)\$650,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality

buffer initiatives (046-00-1800-1250)\$0

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2024 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and

wetland program (046-00-1800-1260)\$154,024

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Streambank stabilization

projects (046-00-1800-1290)\$750,000

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

Kansas reservoir protection initiative administration\$0

(d) During the fiscal year ending June 30, 2024, the secretary of agriculture, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of the budget; (2) the director of legislative research; (3) the chairperson of the house of representatives agri-

culture and natural resources budget committee; and (4) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2023, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund (276-00-4100-4100) of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Agriculture marketing
program (046-00-1900-1110)\$1,013,276

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 135.

STATE FAIR BOARD

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

Operating expenditures (373-00-1000-0103)\$135,000

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2024 to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100)No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.

State fair special cash fund (373-00-9088-9000) No limit
 State fair debt service special
 revenue fund (373-00-2267-2200) No limit
 Sec. 136.

KANSAS WATER OFFICE

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

Water resources operating
 expenditures (709-00-1000-0303)\$1,074,617

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (709-00-2022)..... No limit

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

Lower Smoky Hill water supply
 access fund (709-00-2203-2203) No limit

Water marketing fund (709-00-2255-2100) No limit

Provided, That expenditures may be made from the water marketing fund for the purchase of vessel liability insurance.

Indirect cost fund (709-00-2419-2419) No limit

State conservation storage water
 supply fund (709-00-2502-2600)..... No limit

Provided, That expenditures may be made by the above agency from the State conservation storage water supply fund for acquisition of storage or to complete studies or take actions necessary to ensure reservoir storage

sustainability, subject to the availability of moneys credited to the state conservation storage water supply fund.

Equipment leasing fee fund..... No limit

Local water project

match fund (709-00-2620-3200) No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*, That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage

assurance fund (709-00-2631) No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2024 unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users that is not held under contract in such reservoirs.

Republican river water conservation projects –

Nebraska moneys fund (709-00-2690-2640) No limit

Republican river water conservation projects –

Colorado moneys fund (709-00-2691-2680) No limit

South fork Republican river water conservation

projects fund (709-00-2824-2824) No limit

Provided, That during the fiscal year ending June 30, 2024, the above agency shall pay an amount equal to the amount certified pursuant to subsection (k) from the south fork Republican river water conservation projects fund as a grant pursuant to the grant agreement entered into by the Kansas water office and the Cheyenne county conservation district: *Provided further*, That in accordance with the grant agreement, such moneys shall be used exclusively for the purposes of paying all or a portion of the costs of the projects specified in K.S.A. 82a-1804(g), and amendments thereto, in the area lying in the south fork of the upper Republican river basin in northwest Kansas in all or parts of Cheyenne and Sherman counties: *And provided further*, That in accordance with the grant agreement, all expenditures of such moneys shall be approved by the Cheyenne county conservation district and the Kansas water office: *And provided further*, That, in accordance with the grant agreement, such moneys shall be administered by the Cheyenne county conservation district and any interest earned on such moneys shall be used for the purposes prescribed by this subsection: *And provided further*, That in accordance with the

grant agreement, all expenditures and the status of new projects approved by the Cheyenne county conservation district shall be reported not later than November 1 of each calendar year to the Kansas water office.

Milford RCPP federal fund (709-00-3022-3022).....	No limit
Multipurpose grant fund (709-00-3103-3103)	No limit
Emergency management performance grant fund (709-00-3342-3342)	No limit
HHPD rehabilitation grant fund (709-00-3362-3362)	No limit
Water reclamation and reuse grant fund (709-00-3731-3731)	No limit
EPA wetland development grant fund (709-00-3914)	No limit
Motor pool vehicle replacement fund (709-00-6120-6100)	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....\$834,078

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

MOU – storage operations and maintenance (709-00-1800-1150).....\$736,160

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Stream gaging (709-00-1800-1190)

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

Technical assistance to water users (709-00-1800-1200).....\$425,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Reservoir and water quality research (709-00-1800-1275).....\$450,000

Provided, That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water quality partnerships (709-00-1800-1280)\$884,176
Provided, That any unencumbered balance in the water quality partnerships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas water plan education and outreach strategy (709-00-1800-1281)\$250,000
Provided, That any unencumbered balance in the Kansas water plan education and outreach strategy account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

High plains aquifer partnerships (709-00-1800-1282)\$850,000
Provided, That any unencumbered balance in the high plains aquifer partnerships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas reservoir protection initiative (709-00-1800-1286)\$1,000,000
Provided, That any unencumbered balance in the Kansas reservoir protection initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Equus beds chloride plume remediation project (709-00-1800-1287)\$50,000
Provided, That any unencumbered balance in the equus beds chloride plume remediation project account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Flood response study (709-00-1800-1288)\$200,000
Provided, That any unencumbered balance in the flood response study account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Arbuckle study (709-00-1800-1289)\$150,000
Provided, That any unencumbered balance in the arbuckle study account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(d) During the fiscal year ending June 30, 2024, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative

research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2024, the director of the Kansas water office may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office to any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas department of agriculture or the department of health and environment – division of environment: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and upon receipt of such certification, the director of accounts and reports shall transfer such certified amount to the certified item of appropriation: *Provided further*, That when the director of the Kansas water office provides certification to the director of accounts and reports under this section, the director shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(f) During the fiscal year ending June 30, 2024, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2024, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient

amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2024, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2024 to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(j) During the fiscal year ending June 30, 2024, the director of the Kansas water office shall certify to the director of accounts and reports the amount of moneys expended by the Kansas department of agriculture from the state general fund that is attributable to the administration of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, or the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto: *Provided*, That upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund: *Provided further*, That the director of the Kansas water office shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(k) During the fiscal year ending June 30, 2024, the director of the Kansas water office shall certify the amount of moneys in the Republican river water conservation projects – Colorado moneys fund and shall transmit such certification, along with the amount to be transferred, to the director of accounts and reports. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount specified by the director of the Kansas water office from the Republican river water conservation projects – Colorado moneys fund to the south fork Republican river water conservation projects fund: *Provided*, That the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Sec. 137.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$35,767,049 to \$36,947,614.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$11,433,220 to \$11,969,128.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby decreased from \$1,200,236 to \$1,141,486.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the department access roads fund (710-00-2178-2761) of the Kansas department of wildlife and parks is hereby increased from \$1,703,677 to \$1,732,335.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 168(e) of chapter 81 of the 2022 Session Laws of Kansas on parks rehabilitation and repair projects (710-00-2122-2066) of the Kansas department of wildlife and parks is hereby increased from \$2,300,000 to \$2,750,000.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 168(m) of chapter 81 of the 2022 Session Laws of Kansas on recreational trails program (710-00-3238-3238) of the Kansas department of wildlife and parks is hereby decreased from \$1,680,400 to \$1,630,400.

Sec. 138.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

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

Stream monitoring (710-00-1800-1801).....\$224,457

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (710-00-1900-1910).....\$1,880,039

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided, however, That expenditures from this account for official hospitality shall not exceed \$2,500: Provided further, That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2024, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2024 to include a provision on the calendar year 2024 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: And provided further, That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members

shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating

expenditures (710-00-1900-1920)\$1,787,952

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

Reimbursement for annual

licenses issued to national

guard members (710-00-1900-1930)\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2024 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual

park permits issued to national

guard members (710-00-1900-1940)\$17,922

Provided, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2024 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual

licenses issued to Kansas

disabled veterans (710-00-1900-1950).....\$69,627

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided further, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2024 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: Provided, however, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: And provided further, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2890).....\$37,021,157

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2024 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: Provided further, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2024: And provided further, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: And provided further, That expenditures from the wildlife fee fund for official hospitality shall not exceed \$4,000.

Parks fee fund (710-00-2122-2053).....\$12,857,301

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2024 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements

established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2024: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2813)\$1,103,187

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2024 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2024: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Central aircraft fund (710-00-6145-6100) No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access

roads fund (710-00-2178-2761).....\$1,746,736

Wildlife and parks

nonrestricted fund (710-00-2065-2120)..... No limit

Prairie spirit rails-to-trails

fee fund (710-00-2025-2030) No limit

Plant and animal disease and pest

control fund (710-00-3360-3361)..... No limit

Nongame wildlife

improvement fund (710-00-2593-3300) No limit

Wildlife conservation

fund (710-00-2100-2020)..... No limit

Federally licensed wildlife

areas fund (710-00-2670-3400) No limit

State agricultural production fund (710-00-2050-5100)..... No limit

Land and water conservation fund – state (710-00-3794-3920).....	No limit
Land and water conservation fund – local (710-00-3794-3795).....	No limit
Development and promotions fund (710-00-2097-2010).....	No limit
Department of wildlife and parks private gifts and donations fund (710-00-7335-7000).....	No limit
Fish and wildlife restitution fund (710-00-2166-2750).....	No limit
Parks restitution fund (710-00-2156-2100).....	No limit
Nonfederal grants fund (710-00-2063-2090).....	No limit
Disaster grants – public assistance fund (710-00-3005-3005).....	No limit
Soil/water conservation fund (710-00-3083-3083).....	No limit
Navigation projects fund (710-00-3191-3191).....	No limit
Recreation resource management fund (710-00-3197-3197).....	No limit
Cooperative endangered species conservation fund (710-00-3198-3198).....	No limit
Landowner incentive program fund (710-00-3200-3210).....	No limit
Bulletproof vest partnership fund (710-00-3216-3216).....	No limit
Recreational trails program fund (710-00-3238-3238).....	No limit
Highway planning/ construction fund (710-00-3333-3333).....	No limit
Americorps – ARRA fund (710-00-3404-3405).....	No limit
Cooperative forestry assistance fund (710-00-3426-3426).....	No limit
North America wetland conservation fund (710-00-3453-3453).....	No limit
Wildlife services fund (710-00-3485-3485).....	No limit
Fish/wildlife management assistance fund (710-00-3495-3495).....	No limit
Fish/wildlife core act fund (710-00-3513-3513).....	No limit
Great plains LCC.....	No limit
USDA grant manual update.....	No limit
Watershed protection/flood prevention fund (710-00-3906-3906).....	No limit

Suspense fund (710-00-9159-9000).....	No limit
Employee maintenance deduction clearing fund (710-00-9120-9100)	No limit
Cabin revenue fund (710-00-2668-2660).....	No limit
Feed the hungry fund (710-00-2642-2640).....	No limit
State wildlife grants fund (710-00-3204-3204).....	No limit
Boating safety financial assistance fund (710-00-3251-3250)	No limit
Wildlife restoration fund (710-00-3418-3418)	No limit
Sport fish restoration fund (710-00-3490-3490).....	No limit
Outdoor recreation acquisition, development and planning fund (710-00-3794-3794)	No limit
Publication and other sales fund (710-00-2399-2399).....	No limit
<i>Provided</i> , That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2024, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2024: <i>And provided further</i> , That the secretary of wildlife and parks shall report all such expenditures to the governor and legislature as appropriate.	
Free licenses and permits fund (710-00-2493-2493)	No limit
Enforce underage drinking law fund (710-00-3219-3219).....	No limit
Migratory bird monitoring (710-00-3504-3504)	No limit
Voluntary public access (710-00-3557-3557)	No limit
Energy efficiency/conservation block grant fund (710-00-3157-3157)	No limit
Endangered species – recovery fund (710-00-3209-3209)	No limit
Wetlands reserve program fund (710-00-3007-3060).....	No limit
Adaptive science fund (710-00-3015-3050)	No limit
Economic adjustment assistance fund	No limit
Law enforcement agency support fund.....	No limit
Enhanced hunter education program (710-00-3929-3929)	No limit

White-nose syndrome

response (710-00-3904-3904)..... No limit

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2024, from which expenditures may be made for salaries and wages, for progression within the existing pay structure for natural resource officers of the Kansas department of wildlife and parks: *Provided, however,* That notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the secretary of wildlife and parks shall not require such officer to transfer into the unclassified service in order to progress within the existing pay structure pursuant to this subsection.

(e) Notwithstanding the provisions of K.S.A. 32-9,100, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the Kansas department of wildlife and parks from moneys appropriated from the wildlife fee fund (710-00-2300-2880) of the Kansas department of wildlife and parks for the fiscal year ending June 30, 2024, by this or any other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2024 to issue senior lifetime hunting and fishing licenses to Kansas resident disabled veterans who are 65 years of age or older: *Provided,* That such licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks: *Provided further,* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions and have a disability certified by the Kansas commission on veterans affairs office as being service-related and such service-connected disability is equal to or greater than 30%.

[†]

Sec. 139.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(c) of chapter 81 of the 2022 Session Laws of Kansas on the buildings – rehabilitation and repair account (276-00-4100-8005) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$4,200,000 to \$4,952,742.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(c) of chapter 81 of the 2022 Session Laws of Kansas on the buildings – other construction, renovation and repair account (276-00-4100-8070) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$18,248,376 to \$27,299,652.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,314,773 from the statehouse debt service – state highway fund (173-00-2861-2861) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$324 from the debt service refunding – 2020R – state highway fund (173-00-2865-2865) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

(e) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$135,926 from the debt service refunding – 2019F/G – state highway fund (173-00-2823-2823) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

Sec. 140.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100)	No limit
<i>Provided</i> , That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.	
Special city and county	
highway fund (276-00-4220-4220)	No limit
County equalization and	
adjustment fund (276-00-4210-4210)	\$2,500,000
Highway special	
permits fund (276-00-2576-2576)	\$0

Highway bond debt	
service fund (276-00-4707-9000)	No limit
Rail service	
improvement fund (276-00-2008-2100)	No limit
Transportation	
revolving fund (276-00-7511-1000)	No limit
Rail service assistance program loan	
guarantee fund (276-00-7502-7200)	No limit
Railroad rehabilitation loan	
guarantee fund (276-00-7503-7500)	No limit
<i>Provided</i> , That expenditures from the railroad rehabilitation loan guaran-	
tee fund shall not exceed the amount that the secretary of transportation	
is obligated to pay during the fiscal year ending June 30, 2024, in satis-	
faction 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
<i>Provided</i> , That expenditures may be made from the interagency motor	
vehicle fuel sales fund to provide and sell motor vehicle fuel to other state	
agencies: <i>Provided further</i> , That the secretary of transportation is hereby	
authorized to fix, charge and collect fees for motor vehicle fuel sold to	
other state agencies: <i>And provided further</i> , 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: <i>And provided further</i> , 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 amend-	
ments thereto, and shall be credited to the interagency motor vehicle fuel	
sales fund.	
Coordinated public transportation	
assistance fund (276-00-2572-0300)	No limit
Public use general aviation airport	
development fund (276-00-4140-4140)	No limit
Highway bond	
proceeds fund (276-00-4109-4110)	No limit
Communication system	
revolving fund (276-00-7524-7700)	No limit
Traffic records	
enhancement fund (276-00-2356-2000)	No limit

Other federal grants fund (276-00-3122-3100).....	No limit
Kansas intermodal transportation revolving fund (276-00-7552-7551)	No limit
Conversion of materials and equipment fund (276-00-2256-2256).....	No limit
Seat belt safety fund (276-00-2216-2216)	No limit
Driver's education scholarship grant fund (276-00-2851-2851)	No limit
Transportation technology development fund (276-00-2835-2835)	No limit
Broadband infrastructure construction grant fund (276-00-2836-2836)	No limit
Short line rail improvement fund (276-00-2837-2837)	No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2024, from the state highway fund (276-00-4100-4100) for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2024, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403)	\$319,084,889
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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
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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
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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 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation	
and repair (276-00-4100-8005)	\$5,000,000
Buildings – reroofing (276-00-4100-8010)	\$719,916
Buildings – other construction, renovation	
and repair (276-00-4100-8070)	\$18,730,476
Buildings – purchase land (276-00-4100-8065)	\$45,000

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2024, expenditures may be made by the above agency from the state highway fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2024 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2023, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2024.

(d) During the fiscal year ending June 30, 2024, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2024 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2024 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2024, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2024, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2024, from the state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2024.

(h) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2024, the secretary of transportation shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links: *Provided*, That all moneys so distributed shall be used solely for the maintenance of city connecting links: *Provided further*, That such apportionment shall apply only to those city connecting link lanes maintained by the city, and shall not apply to city connecting link lanes maintained by the secretary pursuant to agreement with the city: *And provided further*, That, as used in this subsection, “lane” means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary.

(i) During the fiscal year ending June 30, 2024, the director of the budget shall certify to the director of accounts and reports the difference, if negative, between \$156,424,618 and the amount collected under the motor-fuel tax law and credited to the special city and county highway fund pursuant to K.S.A. 79-3425 and 79-34,142, and amendments thereto, after the transfer from the special city and county highway fund to the county equalization and adjustment fund pursuant to K.S.A. 79-3425c, and amendments thereto: *Provided*, That upon receipt of such certification, the director of accounts and reports shall transfer such certified amount, not to exceed \$4,226,614, from the state general fund to the special city and county highway fund (276-00-4220-4220) of the department of transportation: *Provided further*, That at the same time such certifica-

tion is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(j) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 2022 Supp. 75-5096, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 or 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made from such moneys for fiscal year 2024 and 2025 for the secretary of transportation to develop a driver's education scholarship grant program to assist qualified individuals to become safe drivers: *Provided*, That any entity that desires to provide a driver's education program may submit an application for a competitive grant of moneys in an amount to be determined by the secretary for the purpose of paying the costs of scholarships to attend a driver's education program: *Provided, however*, That a scholarship for a qualified individual shall not exceed \$200: *Provided further*, That such scholarship shall be awarded upon completion of the driver's education program: *And provided further*, That the secretary of transportation shall administer the provisions of this subsection and may establish additional criteria for qualification for a grant and such other matters deemed necessary by the secretary for the administration of this subsection: *And provided further*, That "qualified individual" means an individual who resides within the state of Kansas, is under 30 years of age and whose household income is positive and not more than 200% of the federal poverty level for the tax year prior to the year in which the application is submitted: *And provided further*, That "federal poverty level" means the most recent poverty income guidelines published in the calendar year by the United States department of health and human services: *And provided further*, That on or before January 8, 2024, and January 13, 2025, the secretary shall provide a report to the house of representatives committees on appropriations and transportation and the senate committees on ways and means and transportation on the driver's education scholarship grant program.

Sec. 141. In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2024, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2024 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amend-

ments thereto, an aggregate amount of allowance: (a) Equal to \$354.15 for the two-week period that coincides with the first biweekly payroll period, which is chargeable to fiscal year 2024 and for each of the 14 ensuing two-week periods thereafter; and (b) equal to \$354.15 for the two-week period that coincides with the biweekly payroll period, which includes March 17, 2024, which is chargeable to fiscal year 2024 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2024, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this section for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods, for which such allowance is payable in accordance with this section and which are chargeable to fiscal year 2024.

Sec. 142. (a) On June 30, 2024, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2024, the director of accounts and reports shall determine and notify the director of the budget if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 143. (a) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by any state agency that is named in this act, expenditures shall be

made by such state agency from moneys appropriated for fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to post on a searchable website accessible by the public, pursuant to the Kansas taxpayer transparency act, K.S.A. 74-72,123, and amendments thereto, any grant awarded by any agency using state or federal funds, including the grant awardee, applications and a list of all applicants who applied for such grant: *Provided*, That the list of all such applicants shall include: (1) Such applicant's organization name; (2) the county where the proposed project is located; (3) a brief description of the proposed project in such application; (4) the dollar amount requested in such application; and (5) the date that the above agency received such application: *Provided further*, That information required to be included on the website pursuant to this paragraph shall be posted within 30 business days after the date of awarding the grant.

Sec. 144. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2024.

(b) During the fiscal year ending June 30, 2024, no state agency named in this or other appropriation act of the 2023 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(c) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, no state agency named in this or other appropriation act of the 2023 or 2024 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) As used in this section:

(1) “Employee” means any person who performs employment services for an employer pursuant to an employment relationship between the employee and the employer.

(2) “Employer” means any individual or type of organization that transacts business in this state and employs one or more individuals who perform employment services in this state.

(3) “E-verify” means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of employees.

Sec. 145. (a) During the fiscal years ending June 30, 2023, and June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for the department of administration for fiscal year 2023 or 2024 by chapter 81 or 97 of the 2022 Session Laws of Kansas, this act or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the department of administration from the state general fund or from any special revenue fund or funds for fiscal year 2023 or 2024, for and on behalf of the Kansas department for aging and disability services, to convey, without consideration, all of the rights, title and interest in approximately 15 acres of the following described real estate, and any improvements thereon, to the Kansas commission on veterans affairs office:

A part of Section 11, Township 12 South, Range 15, East of the 6th P.M., in Shawnee County, Kansas, described as follows: Beginning at a point 30 feet South of the Northeast Corner of the West Half of Section 11; thence South 89°12' West, parallel with the North line of said Section, 1017.1 feet; thence South 0°06'18" West, 1762.32 feet; thence South 89°54'28" East, 679.14 feet; thence South 0°21'57" West, 856.91 feet to a point 336.65 feet West of the center of Section 11; thence South 0°21'57" West, 2219 feet more or less to the center of Shunganunga Creek; thence Easterly and Northerly, down the center of said Creek and following the meanderings thereof to the East line of the West Half of the East Half of Section 11; thence Northerly along said East line 3473.68 feet more or less to a point 320.04 feet South of the Northeast Corner of the West Half of the East Half of Section 11; thence South 89°12' West, 1301.65 feet to a point 30 feet East of the North South Center Line of Section 11; thence North parallel with said center line 290.4 feet; Thence West 30 feet to the point of beginning.

AND

A part of Section 11, Township 12 South, Range 15 East of the 6th P.M., described as follows: Commencing at a point 30 feet South of the Northeast corner of the West half of said Section 11; thence South 89°12'00"

West, parallel to the North line of said Section, 1017.10 feet; thence South 0°06'18" West, 1762.32 feet to the Point of Beginning; thence South 60°45'00" East, 133.00 feet; thence South 00°06'18" West, 123.70 feet to a point on the existing chain-link fence; thence along said fence South 89°54'28" East, 558.75 feet; thence North 00°21'57" East, 188.50 feet; thence North 89°54'28" West, 675.77 feet to the Place of Beginning.

LESS

A tract of land in the Southeast Quarter of Section 11, Township 12 South, Range 15, East of the 6th P.M., described as follows: Commencing at the Northeast Corner of the West Half of the Southeast Quarter of said Section 11, thence South 89 degrees 06 minutes 03 seconds West 600 feet; thence South 00 degrees 17 minutes 05 seconds West, 300.00 feet; thence North 89 degrees 06 minutes 03 seconds East, 600.00 feet; thence North 00 degrees 17 minutes 05 seconds East 300.00 feet to the point of beginning, in the City of Topeka, Shawnee County, Kansas,

AND LESS

A tract of land in the West half of the Southeast Quarter of Section 11, Township 12 South, Range 15 East of the 6th P.M., Beginning at the Southeast corner of the West half of the Northeast quarter; thence coincident with the East line of the West half of said Northeast Quarter on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 50.00 feet to the Point of Beginning; thence continuing coincident with said East line on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 68.65 feet; thence leaving said East line on Azimuth 268 degrees 52 minutes 11 seconds, a distance of 828.70 feet; thence on Azimuth 244 degrees 46 minutes 18 seconds, a distance of 290.52 feet to a point on the South line of said Northeast Quarter; thence on Azimuth 180 degrees 02 minutes 40 seconds, a distance of 461.03 feet; thence on Azimuth 88 degrees 52 minutes 11 seconds, a distance of 1091.41 feet to the East line on the West half of the Southeast Quarter of said Section 11; thence coincident with said East line on Azimuth 00 degrees 02 minutes 40 seconds, a distance of 161.03 feet; thence leaving said East line on Azimuth 268 degrees 52 minutes 11 seconds, a distance of 600.00 feet; thence on Azimuth 00 degrees 02 minutes 40 seconds, a distance of 300 feet to a point on the North line of said Southeast Quarter; thence on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 50.00 feet; thence on Azimuth 88 degrees 52 minutes 11 seconds, a distance of 600.00 feet to the Point of Beginning.

AND LESS

A tract of land in the West half of the Northeast Quarter of Section 11, Township 12 South, Range 15 East of the 6th Principal Meridian in the City of Topeka, Shawnee County, Kansas, Beginning at the Southeast corner of the West half of the Northeast Quarter Section; thence North 00 degrees 18 minutes 33 seconds East along the East line of said West

half of the Northeast Quarter Section, 50 feet; thence South 89 degrees 06 minutes 03 seconds West, 600.00 feet thence South 00 degrees 18 minutes 33 seconds West, 50.00 feet; thence North 89 degrees 06 minutes 03 seconds East, 600.00 feet along the South line of said Quarter Section to the Place of Beginning.

AND LESS

A tract of land in the Northwest Quarter of Section 11, Township 12 South, Range 15 East of the 6th Principal Meridian in the City of Topeka, Shawnee County, Kansas, more particularly described as follows: Commencing at the Northeast corner of such Northwest Quarter; thence West along the North line of such Quarter Section a distance of 1,017.1 feet; thence South along the West property line a distance of 30.00 feet to the True Point of Beginning; thence South along such West line a distance of 25.00 feet; thence East parallel to and 55.00 feet South of the North line of such Quarter Section to a point on the East line; thence North along such East line for a distance of 25.00 feet; thence West to the Point of Beginning.

(b) The secretary of administration, in consultation with the secretary of aging and disability services and the director of the Kansas commission on veterans affairs office, shall determine the specific parcel of approximately 15 acres of real estate within the described real estate in subsection (a). Conveyance of such rights, title and interest in such real estate and any improvements thereon shall be executed in the name of the department of administration executed by the secretary of administration. The deed for such conveyance shall be by quitclaim deed.

(c) No exchange and conveyance of real estate and any improvements thereon as authorized by this section shall be made by the secretary of administration until the correct legal description, deeds and conveyances have been reviewed and approved by the attorney general.

(d) The conveyance of real property authorized by this section shall be contingent upon the receipt of funding from the United States department of veterans affairs for the purposes of constructing a state veterans home facility located in northeast Kansas as authorized by section 51 of chapter 97 of the 2022 Session Laws of Kansas. Conveyance of the real property authorized by this section shall not occur in the event the United States department of veterans affairs does not provide funding through its construction grant program for fiscal year 2024.

(e) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

Sec. 146.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for
state facilities (173-00-1000-8500)\$5,000,000

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Debt service refunding – 2016H (173-00-1000-0464)\$6,298,500

Debt service

refunding – 2019F/G (173-00-1000-0465)\$6,578,181

Debt service

refunding – 2020R (173-00-1000-8563)\$8,234,200

Debt service

refunding – 2020S (173-00-1000-8564)\$776,500

Debt service refunding – 2021P (173-00-1000-8562)\$5,751,750

Printing plant improvements (173-00-1000)\$6,500,000

Provided, That if the above agency, in consultation with the director of the budget, determines that federal moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief are eligible to be used for any such printing plant improvements in addition to the federal funds currently encumbered for such project, may be expended at the discretion of the state, in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, are unencumbered during fiscal year 2024 and may be used for the purposes of this proviso, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports and then, on the date of such certification, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the printing plant improvements account (173-00-1000), an amount equal to such certified amount is hereby lapsed: *Provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund (173-00-7253-7250) No limit

State facilities gift fund (173-00-7263-7290) No limit

Master lease program fund (173-00-8732) No limit

State buildings depreciation fund (173-00-6149-4500) No limit

Executive mansion gifts fund (173-00-7257-7270) No limit

Topeka state hospital cemetery memorial
 gift fund (173-00-7337-7240) No limit
 Capitol area plaza authority
 planning fund (173-00-7121-7035) No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state
 highway fund (173-00-2861-2861) No limit
 Debt service refunding – 2019F/G –
 state highway fund (173-00-2823-2823) No limit
 Debt service refunding – 2020R –
 state highway fund (173-00-2865-2865) No limit
 Debt service refunding – 2020S –
 state highway fund (173-00-2866-2866) No limit
 Printing plant improvement fund No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028) for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements
 and repair (173-00-2028-2085) No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects –
 debt service (173-00-6149-4520) No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2024.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Eisenhower building purchase and renovation –
debt service (173-00-6148-4610) No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2023; *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 147.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2024, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-2275) No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2024, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275) No limit

Sec. 148.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$3,200,000

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2024 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2024 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – state hospitals

rehabilitation and repair (039-00-8100-8325)\$268,450

Larned state hospital – city of Larned

wastewater treatment (410-00-8100-8300).....\$129,620

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital’s portion of the city of Larned’s wastewater treatment system.

Sec. 149.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000).....\$795,000

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

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property

sale fund (296-00-3336-3110) No limit

Provided, That the secretary of labor is hereby authorized to make expen-

ditures from the employment security administration property sale fund during fiscal year 2024 for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund or funds for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2024 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature except upon approval of the state finance council.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2024, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2024 for the following capital improvement projects: Payment of rehabilitation and repair projects: *Provided*, That expenditures from the work-

men’s compensation fee fund (296-00-2124-2228) for fiscal year 2024 for such capital improvement purposes shall not exceed \$530,000.

Sec. 150.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and
repair projects (694-00-1000-0904)\$236,980

Provided, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Soldiers’ home rehabilitation and
repair projects (694-00-8100-7100)\$1,027,460

Veterans’ home rehabilitation and
repair projects (694-00-8100-8250)\$1,626,476

Northeast Kansas veterans’ home (694-00-8100)\$16,350,833

Provided, That any unencumbered balance in the northeast Kansas veterans’ home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Committal shelter doors (694-00-8100)\$90,000

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, expenditures may be made by the above agency from the committal shelter doors account of the state institutions building fund for payment of adding committal shelter doors at the Fort Dodge cemetery and at the WaKeeney cemetery.

Storage building (694-00-8100)\$192,696

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, expenditures may be made by the above agency from the storage building account of the state institutions building fund for payment of a new storage building and fence maintenance at the Fort Dodge cemetery.

Sec. 151.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108)	\$419,988
Security system upgrade project (604-00-8100-8130)	\$241,277
Campus boilers and HVAC upgrades (604-00-8100-8145)	\$1,043,319
Electrical safety upgrade (604-00-8100-8155)	\$204,160
Brighton building elevator (604-00-8100-8160)	\$400,969
Security Perimeter Fencing.....	\$318,250
Track stabilization.....	\$100,000

Sec. 152.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$474,024
Campus life safety and security (610-00-8100-8130).....	\$316,651
Campus boilers and HVAC upgrades (610-00-8100-8145)	\$683,269
Foltz gym wall (610-00-8100-8150).....	\$160,000
Commercial dishwasher.....	\$132,250
Electrical service upgrade.....	\$230,000
Emery building upgrades.....	\$202,000
Dorm remodel.....	\$250,000

Sec. 153.

STATE HISTORICAL SOCIETY

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

Rehabilitation and repair projects (288-00-1000-8088)	\$375,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2024.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2024.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, law enforcement memorial fund and historical preservation grant in aid fund for fiscal year 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2023; *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 154.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Memorial union project –
debt service 2020F (379-00-5161-5040)..... No limit
Student housing projects –
debt service 2017D (379-00-5169-5050) No limit
Twin towers housing project –
debt service 2017D (379-00-5120-5030) No limit

Parking maintenance projects (379-00-5186-5060)	No limit
Rehabilitation and repair projects (379-00-2526-2040; 379-00-2069-2010)	No limit
Student housing projects (379-00-5650-5120; 379-00-5169-5050).....	No limit
Deferred maintenance projects (379-00-2485-2485)	No limit
Morris central renovation (379-00-2526-2040).....	No limit
Welch stadium renovation (379-00-2526-2040).....	No limit
King hall theatre (379-00-2526-2040)	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of buildings account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(e) In addition to the other purposes for which expenditures may be made by Emporia state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to demolish certain facilities and to construct, renovate, develop and equip a new department of nursing and student wellness center all on the campus of Emporia state university: *Provided*, That such capital improvement

project is hereby approved for Emporia state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Emporia state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Emporia state university shall make provisions for the maintenance of the building.

Sec. 155.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field/Wiest hall renovation –	
debt service 2016B (246-00-5103-5020).....	No limit
Memorial union renovation –	
debt service 2005G (246-00-5102-5010)	No limit
Memorial union addition –	
debt service 2020C (246-00-2510-2040).....	No limit
Memorial union project (246-00-2510-2040).....	No limit
Energy conservation –	
debt service (246-00-2035-2000)	No limit
Wiest hall replacement –	
debt service 2016B (246-00-5103-5020).....	No limit
Deferred maintenance projects (246-00-2483-2483)	No limit

Forsyth library renovation (246-00-2035-2000).....	No limit
Rarick hall renovation (246-00-2035-2000).....	No limit
Akers energy center project (246-00-2035-2000)	No limit
Student union rehabilitation and repair projects (246-00-5102-5010)	No limit
Rehabilitation and repair projects (246-00-2035-2000; 246-00-2510-2040)	No limit
Student housing rehabilitation and repair projects (246-00-5103-5020)	No limit
Parking maintenance projects (246-00-5185-5050).....	No limit
Gross coliseum parking lot project (246-00-2035-2000; 246-00-5185-5050)	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 156.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation projects – debt service 2021A, 2012F/H, 2017B (367-00-2062-2000; 367-00-5163-4500)	No limit
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Research initiative debt service 2021A (367-00-2901-2106).....	No limit
Chiller plant project – debt service 2015B (367-00-2062-2000).....	No limit
Recreation complex project – debt service 2021A, 2010G1/2 (367-00-2520-2080).....	No limit
Student union renovation project – debt service 2016A (367-00-2520-2080).....	No limit
Electrical upgrade project – debt service 2017E (367-00-2520-2080; 367-00-2484-2484)	No limit
Salina student life center project – debt service 2008D (367-00-5111-5120).....	No limit
Childcare development center project – debt service 2019C (367-00-5125-5101).....	No limit
Jardine housing project – debt service 2022D/ 2014D/2015B/2011G-1 (367-00-5163-4500).....	No limit
Wefald dining and residence hall project – debt service 2022D/2014D-2 (367-00-5163-4500)	No limit
Union parking – debt service 2016A (367-00-5181-4630).....	No limit
Seaton hall renovation – debt service 2016A (367-00-2520-2080).....	No limit
Chemical landfill – debt service refunding 2011G-2 (367-00-2901-2160).....	No limit
Derby dining center project – debt service 2019C (367-00-5163-4500)	No limit
K-state Salina residence hall – debt service 2022A (367-00-5117-4430).....	No limit
Debt service refunding 2022D (367-00-5163-4500)	No limit
Capital lease – debt service (367-00-2062-2000; 367-00-520-2080; 367-00-5117-4430).....	No limit
Rehabilitation and repair projects (367-00-2062-2000; 367-00-2062-2080; 367-00-2520-2080; 367-00-2901-2160).....	No limit
Deferred maintenance projects (367-00-2484-2484)	No limit
Parking maintenance projects (367-00-5181-4638).....	No limit
Student housing projects (367-00-5163-4500; 367-00-5117-4430)	No limit
Engineering hall renovation project (367-00-2062-2000).....	No limit
Building retro-commissioning project (367-00-2901-2160).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 157.

**KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service	
(369-00-2697-1100; 369-00-2921-1200)	No limit
Rehabilitation and repair	
projects (369-00-2697-1100)	No limit

Sec. 158.

**KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (368-00-5160-5300)	No limit
Rehabilitation and repair projects	
(368-00-2129-5500; 368-00-5160-5300; 368-00-2590-5530)	No limit

AHU replacement project (368-00-2590-5530)..... No limit
 Mosier lab renovation (368-00-2590-5530)..... No limit

Sec. 159.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Building renovations – debt service 2014A1, 2022E
 (385-00-2833-2831; 385-00-5106-5105) No limit
- Overman student center –
 debt service 2014A2 (385-00-2820-2820)..... No limit
- Energy conservation projects –
 debt service 2011D/D3, 2015M, 2014A-1
 (385-00-5165-5050; 385-00-2070-2010;
 385-00-5646-5160)..... No limit
- Student housing projects – debt service 2011D1,
 2020H, 2014A1 (385-00-2833-2831;
 385-00-5165-5050)..... No limit
- Parking facility – debt service
 2020H (385-00-5187-5060) No limit
- Tyler scientific research center – debt service
 2015K (385-00-2903-2903) No limit
- Debt service refunding – 2022E
 (385-00-2070-2010; 385-00-5106-5105) No limit
- Deferred maintenance projects (385-00-2486-2486) No limit
- Student health center –
 debt service 2009G (385-00-2828-2851) No limit
- Overman student
 center project (385-00-2820-2820) No limit
- Rehabilitation and repair projects
 (385-00-2833-2831; 385-00-2070-2010;
 385-00-2529-2040)..... No limit
- Student housing maintenance projects (385-00-5646-5160)..... No limit
- Parking maintenance projects (385-00-5187-5060)..... No limit
- Energy conservation projects –
 debt service 2011D/D3, 2015M,
 2014A-1 (385-00-5165-5050) No limit
- Student housing project – debt
 service 2011D1 (385-00-2833-2830)..... No limit
- Student housing projects – debt service
 2014A2, 2011D1/D3,
 2014A1, 2020H (385-00-5165-5050) No limit

Student housing projects – debt service 2011D1 (385-00-5646-5160).....	No limit
Parking facility – debt service 2020H (385-00-5187-5060)	No limit
Tyler scientific research center – debt service 2015K (385-00-2903-2903)	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 160.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student housing projects – debt service 2014C, 2017A, 2020B, 2021D (682-00-5142-5050)	No limit
Engineering facility – debt service 2021D (682-00-2153-2153; 682-00-2545-2080)	No limit
Student recreation center – debt service 2017A (682-00-2864-2860).....	No limit
Parking facilities – debt service 2014C, 2017A (682-00-5175-5070).....	No limit

McCollum hall parking facility – debt service 2014C (682-00-5175-5070)	No limit
Energy conservation projects – debt service 2020B (682-00-2107-2000; 682-00-2545-2080).....	No limit
Energy conservation projects – debt service (682-00-2545-2080)	No limit
Earth, energy and environment center – debt service 2017A (682-00-2545-2080).....	No limit
Parking maintenance projects (682-00-5175-5070).....	No limit
Student housing maintenance projects (682-00-5621-5110; 682-00-5142-5050; 682-00-2545-2080; 682-00-2905-2160).....	No limit
Rehabilitation and repair projects (682-00-2107-2000; 682-00-2545-2080)	No limit
Kansas law enforcement training center projects (682-00-2133-2020).....	No limit
Rehabilitation and repair projects (682-00-2545-2080)	No limit
Deferred maintenance projects (682-00-2487-2487)	No limit
Student health facility rehabilitation and repair projects (682-00-5640-5120)	No limit
Student recreation center rehabilitation and repair (682-00-2864-2860)	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state

general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(e) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for to construct, upgrade and equip the Kansas geological survey’s laboratory facilities to increase onsite storage and layout space that will house high-end core scanning instrumentation, enhance the core analysis and water quality programs, improve on-site examination space, provide additional wet labs and to improve analytical capabilities, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2024 to be used for such capital improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$3,800,000 as available from such funds to the special revenue fund of the above agency designated by the chancellor of the above agency for the purpose of funding such capital improvements: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such project shall not be funded pursuant to this subsection.

Sec. 161.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Health education building –
- debt service 2017A (683-00-2108-2500).....No limit

Energy conservation – debt service 2020B (683-00-2108-2500).....	No limit
Hemenway research initiative – debt service 2020B (683-00-2907-2800; 683-00-2108).....	No limit
KUMC research institute – debt service 2020B (683-00-2907-2800; 683-00-2108).....	No limit
Parking garage 3 – debt service 2014C (683-00-5176-5550).....	No limit
Parking garage 4 – debt service 2020B (683-00-5176-5550).....	No limit
Parking garage 5 – debt service 2016C (683-00-5176-5550).....	No limit
Deferred maintenance projects (683-00-2488-2488)	No limit
Rehabilitation and repair projects (683-00-2108-2500; 683-00-2394-2390; 683-00-2551-2600; 683-00-2907-2800; 683-00-2915-2915).....	No limit
Parking maintenance projects (683-00-5176-5550).....	No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

Sec. 162.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all

moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Energy conservation –
 - debt service (715-00-2112-2000) No limit
- Rhatigan student center –
 - debt service 2020P (715-00-2558-2030) No limit
- Engineering research lab – debt
 - service 2016J (715-00-2558-2030) No limit
- Shocker residence hall –
 - debt service 2021L (715-00-5100-5250) No limit
- Parking garage – debt
 - service 2016J (715-00-5148-5000) No limit
- Fairmont towers – debt
 - service 2012A2 (715-00-5620-5270) No limit
- Woolsey hall – school of business
 - debt service 2020P (715-00-2112-2000;
715-00-2558-2030) No limit
- Flats and suites –
 - debt service 2020P (715-00-5100-5250) No limit
- Convergence sciences 2 – debt
 - service 2021L (715-00-2558) No limit
- Honors colleges foundation –
 - debt service (715-00-2112-2000) No limit
- Deferred maintenance projects (715-00-2489-2489) No limit
- Rehabilitation and repair projects
 - (715-00-2558-2030; 715-00-2908-2080;
715-00-2558-3000; 715-00-2112-2000) No limit
- Parking maintenance projects (715-00-5159-5040) No limit
- Clinton hall shocker student success center –
 - debt service 2022G (715-00-2112-2000;
715-00-2558-2030) No limit
- Marcus welcome center
 - project (715-00-2558; 715-00-2112-2000) No limit
- Student housing projects (715-00-5100-5250) No limit
- NIAR/engineering/industry &
 - defense projects (715-00-2908-2080;
715-00-2558-2030; 715-00-2558-3000) No limit
- Cessna stadium demolition (715-00-2558-2030) No limit

(b) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the

above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2023 regular session of the legislature.

(e) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the renovation and equipment of the university stadium on the campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$17,850,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the renovation of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants:

And provided further, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the stadium.

(f) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the construction and equipment of the NIAR technology and innovation building on the innovation campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,200,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and

shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the building.

Sec. 163.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

State universities facilities capital
renewal initiative (561-00-1000-0320)\$20,000,000

Provided, That any unencumbered balance in the state universities facilities capital renewal initiative account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the the state universities facilities capital renewal initiative account of the state general fund to the state universities facilities capital renewal initiative account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for the state universities facilities capital renewal initiative approved by the state board of regents: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided further*, That any expenditures made by the board of regents or a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, from such account during fiscal year 2024 shall require a match of nonstate moneys on a \$1-for-\$1 basis, from either the state educational institution or private moneys.

Demolition of buildings (561-00-1000-8510).....\$10,000,000

Provided, That any unencumbered balance in the demolition of buildings account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, The state board of regents is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to a demolition of buildings account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for demolition projects approved by the state board of regents: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of leg-

islative research: *And provided further*, That all expenditures from the demolition of buildings account in fiscal year 2024 shall be only for the demolition or razing of buildings on the campus of state educational institutions as defined by K.S.A. 76-711, and amendments thereto: *Provided, however*, That expenditures of \$750,000 shall be made in fiscal year 2024 for demolition of buildings at Washburn university in Topeka, Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational building fund (561-00-8001-8108)..... No limit

Provided, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning, new construction and razing, approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Sec. 164.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Priority capital improvement projects (400-00-1000).....\$4,000,000

Provided, That no expenditures shall be made from the priority capital improvement projects account to raze buildings at the Lansing correctional facility.

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of correctional institutions (521-00-8600-8240)\$4,442,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2024 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2024 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements –
rehabilitation and repair of juvenile
correctional facilities (521-00-8100-8000)\$630,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2024 from the capital improvements – rehabilitation and repair account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of corrections to be expended during fiscal year 2024 for capital improvement projects approved by the secretary:

Provided further, That the secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility
infrastructure project (521-00-2834)No limit
Correctional industries fund capital unit (522-00-6126-7301)No limit

Sec. 165.

ATTORNEY GENERAL –
KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and
repair projects (083-00-1000-0100)\$300,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 166.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2024, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina (280-00-2306-2004)..... No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2024.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund (280-00-2213) for fiscal year 2024, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-2213-2401) No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2024.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2024, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and repair of buildings (280-00-2034-1115)\$382,144

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2024.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$382,144 from the state highway fund (276-00-4100-4100) of the department of transportation to the

Kansas highway patrol operations fund (280-00-2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2024 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2024 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund (280-00-3545) for fiscal year 2024, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation	
and repair (280-00-3545-3548)	No limit
Troop F storage building (280-00-3545-3545)	No limit
KHP federal forfeiture – new construction	No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2024.

Sec. 167.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and	
repair projects (034-00-1000-8000)	\$1,156,322

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Deferred maintenance (034-00-1000-0700)	\$2,000,000
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Provided, That any unencumbered balance in the deferred maintenance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in excess of \$100 as June 30, 2023, in the each of the following accounts are hereby reappropriated for fiscal year 2024: Hays armory (034-00-1000-8040); SDB remodel (034-00-1000-8030).

Sec. 168.

STATE FAIR BOARD

(a) For the fiscal year ending June 30, 2023, the director of the budget shall determine, in consultation with the above agency, the amount

of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for security projects on the state fairgrounds, may be expended at the discretion of the state in compliance with the office of management and budget’s uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2023 to be used for such security projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$600,000 as available from such funds to the special revenue fund of the above agency designated by the general manager of the above agency for the purpose of funding such security projects: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such project shall not be funded pursuant to this subsection.

Sec. 169.

STATE FAIR BOARD

(a) Any unencumbered balance in the following accounts of the state general fund for the above agency in excess of \$100 as of June 30, 2023, are hereby reappropriated for fiscal year 2024: Bison arena renovation (373-00-1000-8105) and state fair facilities upgrades (373-00-1000-8110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital

improvements fund (373-00-2533-2500)..... No limit

(c) On or before the 10th day of each month during the fiscal year ending June 30, 2024, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in

the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 170.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Dam repair\$2,500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

State parks operating expenditures (710-00-1900-1920).....\$364,841

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund (710-00-2178-2760) No limit

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070)..... No limit

Office of the secretary building fund..... No limit

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,402,545 from the state highway fund (276-00-4100-4100) of the department of transportation to the department access road fund (710-00-2178-2760) of the Kansas department of wildlife and parks.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the bridge maintenance fund (710-00-2045-2070) of the Kansas department of wildlife and parks.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2024 for the following capital

improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement..... No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2024.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and

repair projects (710-00-2122-2066)\$2,055,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2024.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$50,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2024.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301)\$302,256

Land acquisition (710-00-2300-3040)\$400,000

Federally mandated

boating access (710-00-2300-4360)\$743,500

Rehabilitation and repair (710-00-2300-3262).....\$2,535,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2024.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660)\$500,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2024.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3418-3422).....\$4,097,500

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2024.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$650,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2024.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$775,004

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2024.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation
development (710-00-3794-3794).....\$800,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2024.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$730,421

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2024.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

FLW-AG land capital improvements.....\$50,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2024.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....No limit
Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2024.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, non-federal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, other federal grants fund and recreation resource management fund for fiscal year 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2023: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 171. K.S.A. 2-223 is hereby amended to read as follows: 2-223.

(a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) Except as provided further, on each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements

fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. For the fiscal year ending June 30, ~~2022~~ 2023, notwithstanding the other provisions of this section, on March 1, ~~2022~~ 2023, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2022~~ 2023 from state fair activities and non-fair days activities through March 1, ~~2022~~ 2023, except that, subject to approval by the director of the budget prior to March 1, ~~2022~~ 2023, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2022~~ 2023, the state fair board may certify an amount on March 1, ~~2022~~ 2023, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2022~~ 2023, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2022~~ 2023. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification. For the fiscal year ending June 30, ~~2023~~ 2024, notwithstanding the other provisions of this section, on March 1, ~~2023~~ 2024, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2023~~ 2024 from state fair activities and non-fair days activities through March 1, ~~2023~~ 2024, except that, subject to approval by the director of the budget prior to March 1, ~~2023~~ 2024, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2023~~ 2024, the state fair board may certify an amount on March 1, ~~2023~~ 2024, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital

improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2023~~ 2024, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2023~~ 2024. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

Sec. 172. K.S.A. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city that, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 72-5142, and amendments thereto, within such redevelopment district. Except as provided further, to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified. During fiscal years ~~2022~~, 2023, 2024 and ~~2024~~ 2025, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund, which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 173. K.S.A. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the

purposes of K.S.A. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) On ~~July 1, 2021,~~ July 1, 2022, ~~and July 1, 2023,~~ *and July 1, 2024,* the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, to the contrary, during fiscal year ~~2022,~~ *fiscal year 2023 and, fiscal year 2024 and fiscal year 2025,* moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before ~~January 9, 2023,~~ January 8, 2024, ~~and January 13, 2025,~~ *and January 12, 2026,* the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 174. K.S.A. 2022 Supp. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothy-

roidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who

have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g) (1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled “Newborn Screening: Toward a Uniform Screening Panel and System” or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund that shall be administered by the secretary of health

and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. On July 1 of each year, the director of accounts and reports shall determine the amount credited to the medical assistance fee fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the newborn screening program for the ensuing fiscal year as certified by the secretary of health and environment or the secretary's designee to the Kansas newborn screening fund. Such amount shall not exceed ~~\$2,500,000 in any one fiscal year, except that such amount shall not exceed \$5,000,000 in fiscal years 2022 and 2023, 2024 and 2025.~~

Sec. 175. K.S.A. 2022 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, 2021, and on the first day of each month thereafter during ~~fiscal year 2022~~, fiscal year 2023 ~~and~~, fiscal year 2024 *and fiscal year 2025*, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. ~~During fiscal year 2022, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$8,500,000 for each such fiscal year.~~ During fiscal year 2023 ~~and~~, fiscal year 2024 *and fiscal year 2025*, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$20,000,000 for each such fiscal year.

(b) Commencing on July 1, ~~2024~~ 2025, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. In addi-

tion, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 176. K.S.A. 2022 Supp. 74-8711 is hereby amended to read as follows: 74-8711. (a) There is hereby established in the state treasury the lottery operating fund.

(b) Except as provided by K.S.A. 74-8724 and the Kansas expanded lottery act, and amendments thereto, the executive director shall remit all moneys collected from the sale of lottery tickets and shares and any other moneys received by or on behalf of the Kansas lottery to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the lottery operating fund. Moneys credited to the fund shall be expended or transferred only as provided by this act. Expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person designated by the executive director.

(c) Moneys in the lottery operating fund shall be used for:

(1) The payment of expenses of the lottery, which shall include all costs incurred in the operation and administration of the Kansas lottery; all costs resulting from contracts entered into for the purchase or lease of goods and services needed for operation of the lottery, including but not limited to supplies, materials, tickets, independent studies and surveys, data transmission, advertising, printing, promotion, incentives, public relations, communications and distribution of tickets and shares; and reimbursement of costs of facilities and services provided by other state agencies;

(2) the payment of compensation to lottery retailers;

(3) transfers of moneys to the lottery prize payment fund pursuant to K.S.A. 74-8712, and amendments thereto;

(4) transfers to the state general fund pursuant to K.S.A. 74-8713, and amendments thereto;

(5) transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e);

(6) transfers to the state gaming revenues fund pursuant to subsection (d) and as otherwise provided by law;

(7) transfers to the white collar crime fund of the governor pursuant to subsection (f);

(8) transfers to the problem gambling and addictions grant fund of the department for aging and disability services pursuant to subsection (g); ~~and~~

(9) transfers to the attracting professional sports to Kansas fund of the department of commerce pursuant to subsection (h); and

(10) transfers to the county reappraisal fund as prescribed by law.

(d) The director of accounts and reports shall transfer moneys in the lottery operating fund to the state gaming revenues fund created by K.S.A. 79-4801, and amendments thereto, on or before the 15th day of each month in an amount certified monthly by the executive director and determined as follows, whichever is greater:

(1) An amount equal to the moneys in the lottery operating fund in excess of those needed for the purposes described in subsections (c)(1) through (c)(6); or

(2) except for pull-tab lottery tickets and shares, an amount equal to not less than 30% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets. In the case of pull-tab lottery tickets and shares, an amount equal to not less than 20% of the total monthly revenues from the sales of pull-tab lottery tickets and shares less estimated returned tickets.

(e) (1) Subject to the limitations set forth in paragraph (2), commencing in fiscal year 2020, on or before the 10th day of each month, the director of the lottery shall certify to the director of accounts and reports all net profits from the sale of lottery tickets and shares via lottery ticket vending machines. Of such certified amount, the director of accounts and reports shall transfer 75% from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services.

(2) Moneys transferred pursuant to paragraph (1) shall not exceed in the aggregate ~~\$4,000,000~~ \$9,000,000 in fiscal year ~~2019~~ years 2023 and 2024, and shall not exceed in the aggregate \$8,000,000 in fiscal year ~~2020~~ 2025 and each fiscal year thereafter.

(f) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, the first \$750,000 credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the white collar crime fund established in K.S.A. 2022 Supp. 74-8792, and amendments thereto.

(g) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 2% of the remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the problem gambling and addictions grant fund established in K.S.A. 79-4805, and amendments thereto.

(h) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 80% of the remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the attracting professional sports to Kansas fund established in K.S.A. 2022 Supp. 74-8793, and amendments thereto.

Sec. 177. K.S.A. 2022 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (h), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10th 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 devel-

opment. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) There is hereby established in the state treasury the national bio agro-defense facility fund, which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During fiscal years ~~2022, 2023 and~~ 2024 and 2025, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 178. K.S.A. 2022 Supp. 75-2263 is hereby amended to read as follows: 75-2263. (a) Subject to the provisions of subsection (j), the board of trustees is responsible for the management and investment of that portion of state moneys available for investment by the pooled money investment board that is certified by the state treasurer to the board of trustees as being equivalent to the aggregate net amount received for unclaimed property and shall discharge the board's duties with respect to such moneys solely in the interests of the state general fund and shall invest and reinvest such moneys and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of such moneys within the limitations and according to the powers, duties and purposes as prescribed by this section.

(b) Moneys specified in subsection (a) shall be invested and reinvested to achieve the investment objective, which is preservation of such moneys and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this section. No such moneys shall be invested or reinvested if the sole or primary investment objective is for economic development or social purposes or objectives.

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

(d) In the discharge of such management and investment responsibilities the board of trustees may contract for the services of one or more professional investment advisors or other consultants in the management and investment of such moneys and otherwise in the performance of the duties of the board of trustees under this section.

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

(f) (1) Subject to the objective set forth in subsection (b) and the standards set forth in subsection (c), the board of trustees shall formulate and adopt policies and objectives for the investment and reinvestment of such moneys and the acquisition, retention, management and disposition of investments of the moneys. Such policies and objectives shall be in writing and shall include:

(A) Specific asset allocation standards and objectives;

(B) establishment of criteria for evaluating the risk versus the potential return on a particular investment; and

(C) a requirement that all investment advisors, and any managers or others with similar duties and responsibilities as investment advisors, shall immediately report all instances of default on investments to the board of trustees and provide such board of trustees with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment.

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

(g) Except as provided in subsection (d) and this subsection, the custody of such moneys shall remain in the custody of the state treasurer, except that the board of trustees may arrange for the custody of such moneys as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. All such moneys shall be considered moneys in the state treasury for purposes of K.S.A. 75-6704, and amendments thereto.

(h) All interest or other income of the investments of the moneys invested under this section, after payment of any management fees, shall be deposited in the state treasury to the credit of the state general fund.

(i) The state treasurer shall certify to the board of trustees a portion of state moneys available for investment by the pooled money investment board that is equivalent to the aggregate net amount received for unclaimed property. The state treasurer shall transfer the amount certified to the board of trustees. During fiscal years ~~2022, 2023 and~~ 2024 and 2025, the state treasurer shall not certify or transfer any state moneys available for investment pursuant to this subsection.

(j) As used in this section:

(1) “Board of trustees” means the board of trustees of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto.

(2) “Fiduciary” means a person who, with respect to the moneys invested under this section:

(A) Exercises any discretionary authority with respect to administration of the moneys;

(B) exercises any authority to invest or manage such moneys or has any authority or responsibility to do so;

(C) provides investment advice for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so;

(D) provides actuarial, accounting, auditing, consulting, legal or other professional services for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so; or

(E) is a member of the board of trustees or of the staff of the board of trustees.

Sec. 179. K.S.A. 2022 Supp. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~and June 30, 2024~~, *and June 30, 2025*, the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of, or is less than, the amount of estimated tax receipt revenues to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) (1) ~~Upon~~ *Except as provided in paragraph (2)*, upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund for the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~and June 30, 2024~~, *and June 30, 2025*, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(2) *During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, if the balance of the budget stabilization fund is 15% or greater of the amount of actual tax receipt revenues to the state general fund at the end of each such fiscal year, no transfers from the state general fund to the budget stabilization fund shall be made pursuant to this subsection.*

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers shall be made pursuant to this section.

Sec. 180. K.S.A. 2022 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or

(2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2022~~, June 30, 2023, and June 30, 2024, *June 30, 2025*, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund, which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section, and amendments thereto, for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 181. K.S.A. 2022 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto, during the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, *and June 30, 2025*, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 182. K.S.A. 2022 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2022, 2023 and, 2024 and 2025~~; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2025~~ 2026 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 183. K.S.A. 2022 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distribut-

ed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts that in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2022~~, 2023 ~~and~~, 2024 *and* 2025. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 184. K.S.A. 2022 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2022~~, state fiscal year 2023 ~~or~~, state fiscal year 2024 *or state fiscal year 2025*; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 185. K.S.A. 2022 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~or~~ June 30, 2024, *or June 30, 2025*. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for

the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 186. K.S.A. 2022 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than $\frac{1}{2}$ of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund, which are created by this section, or for state fiscal years ~~2022, 2023 and~~ 2024 and 2025, to an account or accounts of the fund created by appropriation acts.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds, which shall be used for economic

development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects, which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. ~~In state fiscal year 2022, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$1,719,264 from the state economic development initiatives fund to the state water plan fund.~~ No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance that meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 187. K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 are hereby repealed.

Sec. 188. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or

account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 189. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Sec. 190. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 191. *Savings.* (a) Any unencumbered balance as of June 30, 2023, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2024 by this or any other appropriation act of the 2023 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2024, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund or the correctional institutions building fund, or to any account of any of such funds.

Sec. 192. During the fiscal year ending June 30, 2024, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2023 regular session of the legislature are hereby appropriated for the fiscal year ending June 30, 2024, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority for the payment of debt service for bonds issued by the Kansas development finance authority or for any related purpose in accordance with applicable bond covenants.

Sec. 193. *Federal grants.* (a) Except as provided in subsection (c), during the fiscal year ending June 30, 2024, each federal grant or other

federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2024 by this or other appropriation act of the 2023 regular session of the legislature is hereby appropriated for fiscal year 2024 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(b) Except as provided in subsection (c), in addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2024 by this act or any other appropriation act of the 2023 regular session of the legislature to apply for and receive federal grants during fiscal year 2024, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(c) The provisions of this section shall not apply to section 198.

Sec. 194. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, for the same uses and purposes as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2022.

Sec. 195. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2022.

Sec. 196. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2022.

Sec. 197. Any transfers of moneys during the fiscal year ending June 30, 2024, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2024.

Sec. 198. During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 75-3711a or 75-3711b, and amendments thereto, section 193 or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by any state agency that is named in this act, expenditures may be made by such state agency from moneys appropriated for fiscal year 2023, fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to apply for and receive federal grants during fiscal years 2023, 2024 and 2025: *Provided*, That federal grants are hereby authorized to be applied for and received by such state agencies that concern moneys from the federal government subject to the following provisions: *Provided further*, That except as provided further, no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt of discretionary state funding related to COVID-19, any other unforeseen public health emergency, or any national recession or other currently unknown national emergency during fiscal years 2023, 2024 and 2025 that has not been previously appropriated, reappropriated or approved for expenditure by the legislature until the legislature expressly consents to and approves such appropriation or expenditure by an act of the legislature: *Provided however*, That if such federal grant or receipt is a part of a continuing, existing state program that was previously appropriated, reappropriated or approved for expenditure by the legislature in fiscal year 2022 or fiscal year 2023 for such agency, then during fiscal years 2023, 2024 and 2025, such agency is authorized to expend all approved moneys lawfully credited to and available in such fund or funds during fiscal years 2023, 2024 and 2025: *And provided further*, That during fiscal years 2023, 2024 and 2025, any agency that is expending moneys as a

continuing, existing program that was previously appropriated, reappropriated or approved for expenditure by the legislature in fiscal year 2022 or fiscal year 2023 shall submit a report to the senate committee on ways and means and the house of representatives committee on appropriations within 30 days of receipt of the federal grant or other federal receipt detailing the continuing, existing program, the citation to the previously appropriated, reappropriated or approved for expenditure authorization by the legislature, the total amount of such grant or receipt and the proposed expenditures from such grant or receipt.

Sec. 199. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved April 20, 2023.

Published in the *Kansas Register* May 8, 2023.

- † Section 15(b) was line-item vetoed.
 - † Section 25(b) was line-item vetoed.
 - † Section 26(d) was line-item vetoed.
 - † Section 31(c) was line-item vetoed.
 - † A portion of section 42(b) was line-item vetoed.
 - † Section 42(d) was line-item vetoed.
 - † Section 43(b) was line-item vetoed.
 - † Section 43(c) was line-item vetoed.
 - † Section 44(b) was line-item vetoed.
 - † Section 44(c) was line-item vetoed.
 - † Section 45(b) was line-item vetoed.
 - † Section 45(c) was line-item vetoed.
 - † Section 46(b) was line-item vetoed.
 - † Section 46(c) was line-item vetoed.
 - † Section 72(b) was line-item vetoed.
 - † A portion of section 73(b) was line-item vetoed.
 - † A portion of section 89(b) was line-item vetoed.
 - † Section 90(b) was line-item vetoed.
 - † A portion of section 91(a) was line-item vetoed.
 - † A portion of section 115(a) was line-item vetoed.
 - † A portion of section 115(b) was line-item vetoed.
 - † Section 115(h) was line-item vetoed.
 - † Section 115(i) was line-item vetoed.
 - † A portion of section 116(a) was line-item vetoed.
 - † A portion of section 118(a) was line-item vetoed.
 - † Section 138(f) was line-item vetoed.
- (See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **HB 2184**, was approved by the Governor on April 20, 2023 with line-item vetoes.

Sections 39(e), 42(a), and 143 were approved on April 26, 2023 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; were reconsidered by the Senate and approved on April 27, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections, and the line-items shall become law.

[Section 138(f) was approved by the House of Representatives on April 26, 2023 but not approved by the Senate on April 27, 2023, and the line-item shall not become law.]

This certificate is made this 28th day of April 2023, by the President of the Senate and Secretary of the Senate and the Speaker of the House and Chief Clerk of the House.

Ty Masterson

President of the Senate

Corey Carnahan

Secretary of the Senate

Daniel R. Hawkins

Speaker of the House of Representatives

Susan W. Kannarr

Chief Clerk of the House of Representatives

CHAPTER 83

SENATE BILL No. 228

AN ACT concerning counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is in a county jail awaiting examination, evaluation or treatment for competency; relating to county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1910, 19-1911, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915.

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

New Section 1. (a) Whenever a person is in the custody of a county jail awaiting examination, evaluation or treatment pursuant to K.S.A. 22-3219, 22-3302, 22-3303, 22-3428, 22-3429 or 22-3430, and amendments thereto, the county that maintains such county jail shall be reimbursed by the secretary for aging and disability services for the costs related to such custody at the rate of \$100 per day. The county shall be compensated at such rate for each day that a person is in custody and confined as described in this subsection:

(1) If such person is awaiting examination or evaluation, from the date the request for examination or evaluation is made until the date the person is taken from confinement in the county jail for such examination or evaluation or the examination or evaluation is completed at the county jail; and

(2) if such person is awaiting treatment, from the date of return to confinement in the county jail from examination or evaluation or the examination or evaluation is completed at the county jail until the date the person is taken from confinement in the county jail for such treatment or treatment is completed at the county jail.

(b) On and after July 1, 2022, if a county has a claim for reimbursement of costs described in subsection (a), the county shall notify and provide documentation of such costs to the secretary for aging and disability services on a quarterly basis. The secretary for aging and disability services shall certify the amount of moneys attributable to such costs and shall transmit a copy of such certification to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer an amount of moneys equal to such certified amount from the state general fund to the county competency expense fund. The secretary for aging and disability services shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) The secretary for aging and disability services shall develop and implement a procedure to provide payments to counties pursuant to subsection (b) on a quarterly basis.

(d) If there are no moneys available in the county competency expense fund to pay any such reimbursements, the county may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(e) There is hereby established in the state treasury the county competency expense fund that shall be administered by the secretary for aging and disability services. All expenditures from the county competency expense fund shall be for the purpose of reimbursing counties for the costs described in subsection (a). 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 secretary for aging and disability services or the secretary's designee.

(f) For the purposes of this section, "county jail" means a jail operated by a county or a consolidated law enforcement agency.

Sec. 2. K.S.A. 19-1901 is hereby amended to read as follows: 19-1901. ~~There shall be established and kept at Every county seat, by authority of the board of county commissioners~~ *shall provide jail services*, at the expense of the county, ~~a jail~~ for the safekeeping of prisoners lawfully committed.

Sec. 3. K.S.A. 19-1903 is hereby amended to read as follows: 19-1903. (a) The sheriff of the county ~~by himself~~, or *such sheriff's deputy*, shall:

(1) Keep the jail, and ~~shall be responsible for the manner in which the same jail is kept;~~

(2) ~~He shall keep separate rooms for the sexes, except where they are lawfully married. He shall each sex, female and male; and~~

(3) supply proper ~~bread, meat food~~, drink and ~~fuel~~ *medical care* for the prisoners.

(b) *As used in this section, "sex" means an individual's biological sex, either male or female, at birth. A "female" is an individual whose biological reproductive system is developed to produce ova, and a "male" is an individual whose biological reproductive system is developed to fertilize the ova of a female.*

Sec. 4. K.S.A. 19-1904 is hereby amended to read as follows: 19-1904. The sheriff of each county ~~must shall~~ keep a true and exact calendar of all prisoners committed to the county jail, ~~which~~. *Such calendar must shall* contain the names of all persons who are committed, their place of abode, the time of their commitment, the time of their discharge, the cause of their commitment, the authority that committed them, and the description of their persons; ~~and~~. When any person is ~~liberated~~ *released from the county jail*, such calendar ~~must shall~~ state the ~~time when and the authori-~~

ty by which such liberation took place; and authority for such release and the time when such release occurred. If any person ~~escape~~ escapes from the county jail, ~~it must~~ such calendar shall state particularly the time and manner of such escape.

Sec. 5. K.S.A. 19-1905 is hereby amended to read as follows: 19-1905. At the opening of each term of the district ~~or criminal court within his~~ in the sheriff's county, the sheriff ~~must return a copy of such calendar, under his hand~~ shall provide a record of the calendar maintained pursuant to K.S.A. 19-1904, and amendments thereto, to the judge of such court; ~~and if any sheriff neglect or refuse so to do, he shall be punished by fine not exceeding five hundred dollars~~ by providing a physical or electronic copy of such calendar or access to an electronic record of such calendar. The record provided to the court shall include all information added to such calendar since the last report was submitted.

Sec. 6. K.S.A. 19-1910 is hereby amended to read as follows: 19-1910. (a) When a prisoner is committed to a county jail in a criminal action, the board of county commissioners shall allow the sheriff reasonable ~~charges~~ funding for maintaining such prisoner.

(b) (1) If a person is stopped by or is in the custody of a law enforcement officer, as defined in K.S.A. 22-2202, and amendments thereto, who is an employee of the state and such person is injured by the officer while acting within the scope of such officer's authority, costs incurred for medical care and treatment of the person shall be paid by the state if such care and treatment is required due to the injury and a determination has been made that the person has no other resources. When such medical expenses have been paid by the state, the state may seek reimbursement of such expenses from the prisoner. If the state determines that the prisoner is covered under a current individual or group accident and health insurance contract, medical service plan contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization contract, then the state may require the prisoner or the provider rendering ~~health care~~ healthcare services to the prisoner to submit a claim for such ~~health care~~ healthcare services rendered in accordance with the prisoner's policy or contract.

(2) All other costs incurred by the county for medical care and treatment of prisoners held within the county shall be paid from the county general fund when a determination has been made that the prisoner has no other resources. When medical expenses have been paid out of the county general fund of any county in this state for a prisoner held within such county, the county may seek reimbursement of such expenses from the prisoner. If the county determines that a prisoner of the county jail is covered under a current individual or group accident and health insurance policy, medical service plan contract, hospital service corporation

contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization contract, then the county may require the prisoner of such county jail or the provider rendering health care services to the prisoner to submit a claim for such health care services rendered in accordance with the prisoner's policy or contract.

(c) When a prisoner is delivered to a county jail pursuant to K.S.A. 75-5217, and amendments thereto, the costs of holding such prisoner shall be paid as provided in K.S.A. 19-1930, and amendments thereto.

Sec. 7. K.S.A. 19-1911 is hereby amended to read as follows: 19-1911. (a) When a prisoner is confined by virtue of any process directed to the sheriff, and ~~which shall require such process is required~~ to be returned to the issuing court ~~whence it issued~~, such sheriff shall keep a copy of ~~the same, together with his return made thereon, which such process and return.~~ Such copy, duly certified by such sheriff, shall be presumptive evidence of ~~his such sheriff's~~ right to retain such prisoner in custody.

(b) *All instruments of every kind, or attested copies thereof, by which a prisoner is committed to or released from the custody of the sheriff, shall be regularly endorsed and filed and safely kept in a paper or electronic form by such sheriff, or such sheriff's deputy acting as the keeper of the jail.*

(c) *The records required to be retained in this section shall be delivered to the successor of the officers having charge of the prisoner.*

Sec. 8. K.S.A. 19-1916 is hereby amended to read as follows: 19-1916. Any committing judge of the district court of any county ~~in which~~ where there is no sufficient jail may order any person whom they may lawfully order to be committed to prison to be sent to the jail of the ~~county nearest having a sufficient jail, and~~ nearest county that has sufficient space and means to care for the inmate as determined by the sheriff or keeper of the jail of such nearest county. The sheriff of such nearest county shall, on exhibit of the order of such judge, ~~which order shall have endorsed thereon that contains~~ a statement that there is no sufficient jail in ~~the such judge's county from whence it issued~~, receive and keep in custody in the jail of ~~his or her such sheriff's~~ county the prisoner ordered to be committed as aforesaid, at the expense of the county from which such person was sent, ~~and the said sheriff shall, upon the order of the committing judge of the district court, redeliver such person when demanded.~~ *The sheriff of the county ordering commitment is responsible for transportation of the prisoner.*

Sec. 9. K.S.A. 19-1917 is hereby amended to read as follows: 19-1917. Any county jail may be used for the safekeeping of any fugitive from justice from another state or territory, ~~and.~~ *The jailer sheriff or the keeper of the jail of such county shall in such case be entitled to reasonable compensation for the support and custody of such fugitive from justice, to be paid by the officer demanding the custody of the same such fugitive.*

Sec. 10. K.S.A. 19-1927 is hereby amended to read as follows: 19-1927. Whenever any county or board of county commissioners in this state owns a tract of real estate formerly the site for its county jail, ~~and the same such real estate is no longer used for that purpose, and a new county jail has been built elsewhere in such county,~~ and such abandoned jail and its site is no longer in the judgment of the board of county commissioners of such county needed for county jail purposes, the board of county commissioners of such county, without a vote of the people or of the electors of such county, may:

(a) Sell and dispose of such real estate either at public or private sale, for cash or other consideration and on such terms as the board of county commissioners of such county deems to be *in* the best interests of the county; ~~or;~~

(b) convey by deed, without consideration, such jail and site to a historical society incorporated under the laws of Kansas as a charitable or benevolent corporation for the purposes of a historical society, if the board finds that such jail and site should be preserved as a historical site or monument; ~~Provided.~~ Such conveyance shall be upon the condition that the title shall revert to the county when the property is no longer maintained and used by such historical society for the purpose for which it was conveyed; *or*

(c) *demolish or repurpose such jail or repurpose such site as the board of county commissioners of such county deems to be in the best interests of the county.*

Sec. 11. K.S.A. 19-1929 is hereby amended to read as follows: 19-1929. (a) Any county in the state, ~~which that~~ is without a sufficient jail by reason of the remodeling of its jail or the construction of a new jail or for any other reason, may contract with:

(1) Any city ~~in such county~~ *the state* having an adequate jail for the use of ~~the such jail of such city~~ upon such terms as the board of county commissioners and the governing body of such city may agree; *or*

(2) *any county in the state having an adequate jail for the use of such jail upon such terms as the board of county commissioners and the receiving county's board of county commissioners may agree.*

(b) Any committing judge of the district court of any such county may order any person whom they may lawfully order to be committed to prison; to be committed to such *other county or city* jail, and the ~~officer having charge of such keeper of the jail~~ shall receive and keep in custody ~~therein~~ any prisoner ordered to be committed as aforesaid, and shall upon the order of the committing court redeliver such person when demanded. *The sheriff of the county ordering commitment is responsible for transportation of the prisoner.*

Sec. 12. K.S.A. 19-1930 is hereby amended to read as follows: 19-1930. (a) (1) The sheriff or the keeper of the jail in any county of the state

shall receive all prisoners committed to the sheriff's or jailer's custody by the authority of the United States or by the authority of any city located in such county and shall keep them safely in the same manner as prisoners of the county until discharged in accordance with law. The county maintaining such prisoners shall receive from the United States or such city compensation for the maintenance of such prisoners in an amount equal to that provided by the county for maintenance of county prisoners and provision shall be made for the maintenance of such prisoners in the same manner as prisoners of the county. The governing body of any city committing prisoners to the county jail shall provide for the payment of such compensation upon receipt of a statement from the sheriff of such county as to the amount due therefor from such city.

(2) *The sheriff and the keeper of the jail shall not be required to receive or detain a prisoner under paragraph (1) who is in the custody of an arresting agency until the prisoner has been examined by a medical care facility as defined in K.S.A. 65-425, and amendments thereto, or a health-care provider as defined in K.S.A. 40-3401, and amendments thereto, if the prisoner appears to be:*

(A) *Unconscious or having been unconscious at any time during custody or during the events leading to the person's custody;*

(B) *suffering from a serious illness;*

(C) *suffering from a serious injury; or*

(D) *seriously impaired by alcohol or drugs or combination thereof.*

(3) *Except as provided in K.S.A. 22-4613, and amendments thereto, the prisoner shall remain in the custody of the arresting agency during the examination required under paragraph (2).*

(4) *The cost of the examination and resulting treatment under paragraph (2) is the financial responsibility of the prisoner receiving the examination or treatment in accordance with K.S.A. 19-4444 and 22-4612, and amendments thereto.*

(b) The sheriff or the keeper of the jail in any county of the state shall receive all prisoners committed to the sheriff's or jailer's custody pursuant to K.S.A. 75-5217, and amendments thereto, and shall keep them safely in the same manner as prisoners of the county until discharged in accordance with law or until otherwise ordered by the secretary of corrections. The cost of maintenance of such prisoners, including medical costs of such prisoners shall be paid by the department of corrections in an amount equal to that provided by the county for maintenance of county prisoners.

(c) In lieu of charging city authorities for the cost of maintenance of prisoners as provided by subsections (a) and (b), the board of county commissioners of Sedgwick county may levy a tax not to exceed one mill upon all tangible taxable property of the county to pay such costs and the costs of maintaining county prisoners. No revenue derived from such levy shall

be used to pay the costs of maintenance of prisoners committed to the jail by federal or state authorities, or authorities of other counties or cities in other counties. For the purpose of this subsection, if any portion of a city is located within a county levying a tax hereunder, all prisoners of such city shall be deemed prisoners of such county.

(d) The board of county commissioners of a county may provide by resolution that any inmate of the county jail who participates in a work release or job training program for which the inmate receives compensation or a subsistence allowance shall be required to pay to the county an amount not exceeding \$20 per day to defray costs of maintaining such inmate in the county jail. Such resolution shall provide for reduction or waiver of such amount in instances in which payment would create undue hardship for an inmate. The inmate shall pay any amount charged pursuant to such resolution, in cash or by money order, to the county treasurer, who shall deposit the entire amount in the county treasury and credit it to the county general fund. If payment is made in cash, the county treasurer shall provide the inmate with a written receipt for such payment. If the county is otherwise entitled to receive reimbursement or compensation for the maintenance of an inmate who is required to pay an amount pursuant to such resolution, the amount paid by such inmate shall be deducted from the amount of the other reimbursement or compensation to which the county is entitled.

(e) (1) The board of county commissioners of a county may provide by resolution that any inmate of the county jail who is incarcerated in the county jail pursuant to a sentence for the conviction of a crime in this state shall be required to pay to the county a fee in an amount not exceeding the county's daily cost of housing the inmate to defray the costs of maintaining such inmate in the county jail for each day prior to and after conviction for an offense resulting in a conviction.

(2) Such resolution shall provide:

(A) For the priority of restitution, child support, court costs or fines over such fee;

(B) for reduction or waiver of such amount in instances in which payment would create undue hardship for an inmate and for a procedure to provide for a reduction or waiver; and

(C) that if the inmate fails to pay such amount charged pursuant to such resolution, the county keeping such inmate may garnish such inmate's commissary account to recover such costs, upon notice and hearing given to such inmate as provided for in any such resolution contemplated herein.

(3) The inmate shall pay the amount charged pursuant to such resolution, in cash or by money order, or by release of funds in the inmate's jail commissary account, to the county treasurer, who shall deposit the entire amount in the county treasury and credit it to the county general fund.

(4) The sheriff shall forward any garnished commissary account payment to the county treasurer, who shall deposit the entire amount in the county treasury and credit it to the county general fund.

(5) If the county is otherwise entitled to receive reimbursement or compensation for the maintenance of an inmate who is required to pay an amount pursuant to such resolution, and such reimbursement or compensation constitutes the entirety of the costs of maintaining such inmate in the county jail, the amount paid by such inmate shall be deducted from the amount of the other reimbursement or compensation to which the county is entitled.

(f) If any sheriff or ~~jailer~~ *keeper of the jail* neglects or refuses to perform the services and duties required by the provisions of this act, the sheriff or ~~jailer~~ *keeper of the jail* shall be subject to the same penalties, forfeitures and actions as if the prisoners had been committed under the authority of this state.

(g) Attorneys of prisoners held in a county jail shall be permitted to visit them professionally at all reasonable hours.

(h) *As used in this section:*

(1) *“Arresting agency” does not include a surety, bail agent or bail enforcement agent who arrests a person who was released on an appearance bond pursuant to K.S.A. 22-2809, and amendments thereto.*

(2) *“Serious injury” means any injury with a substantial risk of death or resulting in:*

(A) *Loss of orientation, loss of full movement of a limb or complaint of neck or spinal pain with an onset related to the incident leading to or during the person’s custody;*

(B) *a reasonable belief a bone fracture may exist;*

(C) *laceration with an appearance it needs sutures;*

(D) *loss or serious impairment of vision with an onset during or subsequent to the events leading to the arrest;*

(E) *loss or fracture of any teeth with an onset during or subsequent to the events leading to the arrest; or*

(F) *any similar condition reasonably indicating immediate assessment by a medical care provider is prudent.*

(3) *“Serious illness” includes, but is not limited to:*

(A) *Any illness or ailment resulting in loss of consciousness or responsiveness or affecting a person’s level of consciousness to a degree immediate intervention is prudent;*

(B) *a body temperature in excess of 101° F;*

(C) *acute or chronic blood loss indicative of underlying illness; or*

(D) *pain to a degree it affects the person’s ability to function.*

(4) *“Seriously impaired by alcohol or drugs or combination thereof” means the loss of consciousness, inability to stand without assistance or*

inability to move from one location to another without assistance reasonably believed to be induced by the consumption of alcohol, a controlled substance as defined in chapter 65 of the Kansas Statutes Annotated, and amendments thereto, a drug other than a controlled substance or a combination of alcohol, controlled substances or drugs.

Sec. 13. K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1906, 19-1907, 19-1908, 19-1910, 19-1911, 19-1912, 19-1913, 19-1914, 19-1915, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the statute book.

Governor's veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **Senate Bill 228**, was not approved by the Governor on April 20, 2023; was returned by objections and approved on April 26, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections of the governor; was reconsidered by the House of Representatives and was approved on April 26, 2023 by two-thirds of the members elected to the House, notwithstanding the objections, the bill did pass and shall become law.

This certificate is made this 26th day of April, 2023 by the Chief Clerk and Speaker of the House of Representatives and the President and Secretary of the Senate.

Daniel R. Hawkins
Speaker of the House of Representatives

Susan W. Kannarr
Chief Clerk of the House of Representatives

Ty Masterson
President of the Senate

Corey Carnahan
Secretary of the Senate

CHAPTER 84

SENATE BILL No. 180*

AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction.

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

Section 1. (a) Notwithstanding any provision of state law to the contrary, with respect to the application of an individual's biological sex pursuant to any state law or rules and regulations, the following shall apply:

(1) An individual's "sex" means such individual's biological sex, either male or female, at birth;

(2) a "female" is an individual whose biological reproductive system is developed to produce ova, and a "male" is an individual whose biological reproductive system is developed to fertilize the ova of a female;

(3) the terms "woman" and "girl" refer to human females, and the terms "man" and "boy" refer to human males;

(4) the term "mother" means a parent of the female sex, and the term "father" means a parent of the male sex;

(5) with respect to biological sex, the term "equal" does not mean "same" or "identical";

(6) with respect to biological sex, separate accommodations are not inherently unequal; and

(7) an individual born with a medically verifiable diagnosis of "disorder/differences in sex development" shall be provided legal protections and accommodations afforded under the Americans with disabilities act and applicable Kansas statutes.

(b) Laws and rules and regulations that distinguish between the sexes are subject to intermediate constitutional scrutiny. Intermediate constitutional scrutiny forbids unfair discrimination against similarly situated male and female individuals but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives. Notwithstanding any provision of state law to the contrary, distinctions between the sexes with respect to athletics, prisons or other detention facilities, domestic violence shelters, rape crisis centers, locker rooms, restrooms and other areas where biology, safety or privacy are implicated that result in separate accommodations are substantially related to the important governmental objectives of protecting the health, safety and privacy of individuals in such circumstances.

(c) Any school district, or public school thereof, and any state agency, department or office or political subdivision that collects vital statistics for the purpose of complying with anti-discrimination laws or for the purpose of gathering accurate public health, crime, economic or other data shall

identify each individual who is part of the collected data set as either male or female at birth.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Governor's veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **Senate Bill 180**, was not approved by the Governor on April 20, 2023; was returned by objections and approved on April 26, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections of the governor; was reconsidered by the House of Representatives and was approved on April 27, 2023 by two-thirds of the members elected to the House, notwithstanding the objections, the bill did pass and shall become law.

This certificate is made this 27th day of April, 2023 by the Chief Clerk and Speaker of the House of Representatives and the President and Secretary of the Senate.

Daniel R. Hawkins

Speaker of the House of Representatives

Susan W. Kannarr

Chief Clerk of the House of Representatives

Ty Masterson

President of the Senate

Corey Carnahan

Secretary of the Senate

CHAPTER 85

HOUSE BILL No. 2313

AN ACT concerning health and healthcare; creating the born-alive infants protection act; providing legal protections for infants born alive; requiring certain standards of care by health-care providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act; amending K.S.A. 65-445 and repealing the existing section.

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

New Section 1. The provisions of sections 1 through 9, and amendments thereto, shall be known and may be cited as the born-alive infants protection act.

New Sec. 2. As used in sections 2 through 8, and amendments thereto:

(a) “Abortion” means the same as defined in K.S.A. 65-6701, and amendments thereto.

(b) “Born alive” means the complete expulsion or extraction of a human being from its mother, at any stage of development, who, after such expulsion or extraction, breathes or has a beating heart, pulsation of the umbilical cord or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section or induced abortion.

(c) “Healthcare provider” means a physician, licensed physician assistant, licensed advanced practice registered nurse or person licensed, registered, certified or otherwise authorized to practice by the behavioral sciences regulatory board.

(d) “Medical care facility” means the same as defined in K.S.A. 65-425, and amendments thereto.

New Sec. 3. Whenever the terms “child,” “human being” or “person” are used in K.S.A. 2022 Supp. 21-5401, 21-5402, 21-5403, 21-5404, 21-5405, 21-5406 and 21-5413(a) and (b), and amendments thereto, such terms shall include each member of the species homo sapiens who is born alive.

New Sec. 4. (a) In the event an abortion or attempted abortion results in a child being born alive, any healthcare provider present at the time the child is born alive shall:

(1) Exercise the same degree of professional skill, care and diligence to preserve the life and health of the child as a reasonably diligent and conscientious healthcare provider would render to any other child born alive at the same gestational age; and

(2) ensure that the child who is born alive is immediately transported to a hospital.

(b) Any healthcare provider or any employee of a medical care facility who has knowledge of a failure to comply with the requirements of subsection (a) shall immediately report such failure to an appropriate law enforcement agency.

New Sec. 5. (a) Any person who knowingly or recklessly violates section 4, and amendments thereto, shall be guilty of a severity level 10, nonperson felony.

(b) Any person who intentionally performs or attempts to perform an overt act that kills a child who is born alive during an abortion or attempted abortion shall be guilty of a severity level 1, person felony.

(c) The provisions of this section shall not apply to the woman upon whom the abortion is performed or attempted.

New Sec. 6. (a) The woman upon whom the abortion or attempted abortion was performed, the father of the child born alive and, if the woman has not attained 18 years of age at the time the abortion or attempted abortion is performed, the parents or custodial guardian of the woman upon whom the abortion or attempted abortion was performed may bring a civil action for any violation of section 4, and amendments thereto, to obtain appropriate relief.

(b) Any person who is not the woman upon whom the abortion or attempted abortion was performed shall be barred from bringing any action under this section if the pregnancy resulted from such person's criminal conduct.

(c) The prevailing party in any action brought under this section may be awarded reasonable attorney fees, except that if the prevailing party is the defendant, then the court shall find that the plaintiff's action was frivolous and brought in bad faith before the court and may award attorney fees to such defendant.

New Sec. 7. In any civil or criminal action brought pursuant to section 5 or 6, and amendments thereto, upon a motion by either party or sua sponte, the court shall determine whether the anonymity of any woman upon whom an abortion or attempted abortion was performed shall be preserved if such woman does not give consent to the public disclosure of her name. If the court determines that such woman's anonymity should be preserved, then the court shall issue appropriate orders to the parties, witnesses and counsel and shall direct that the court records of the proceedings be sealed and all individuals who are not a party to the action, witnesses or counsel be excluded from the courtroom or hearing room to the extent necessary to safeguard the woman's identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is

narrowly tailored to serve that interest and why no reasonable less restrictive alternative exists. This section shall not be construed to conceal the identity of the plaintiff or of witnesses from the defendant.

New Sec. 8. (a) Each medical care facility in which an infant is born alive subsequent to an abortion or attempted abortion performed on the mother of the infant shall submit an annual report to the secretary of health and environment on the number of such infants in such form and manner as prescribed by the secretary. Such report shall include:

(1) The approximate gestational age of the infant who was born alive expressed in one of the following increments:

- (A) Less than nine weeks;
- (B) nine to 10 weeks;
- (C) 11 to 12 weeks;
- (D) 13 to 15 weeks;
- (E) 16 to 20 weeks;
- (F) 21 to 24 weeks;
- (G) 25 to 30 weeks;
- (H) 31 to 36 weeks; or
- (I) 37 weeks to term;

(2) any medical actions taken to preserve the life of the infant who was born alive;

(3) the outcome for such infants, including survival, death and location of death, such as a clinic, hospital or ambulance, if known; and

(4) the medical conditions of infants who were born alive, including conditions developed prior to and after the attempted abortion.

(b) The secretary may impose a civil fine in any amount not to exceed \$500 on any medical care facility that fails to submit the required report within 30 days after the date such report is due to be submitted to the secretary. The secretary may impose an additional civil fine in an amount not to exceed \$500 for each additional 30-day period that such medical care facility fails to submit the required report. If a medical care facility fails to submit a required report for more than one year following the date that such report is due to be submitted to the secretary, or submits an incomplete report during such time period and fails to correct the deficiencies in such report, the secretary may bring a civil action for an injunction to compel such medical care facility to submit the required report.

New Sec. 9. If any provision, word, phrase or clause of sections 1 through 8, and amendments thereto, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions, words, phrases, clauses or applications of sections 1 through 8, and amendments thereto, that can be given effect without the invalid provision, word, phrase, clause or application and to this end, the pro-

visions, words, phrases and clauses of sections 1 through 8, and amendments thereto, are declared severable.

Sec. 10. K.S.A. 65-445 is hereby amended to read as follows: 65-445. (a) Every medical care facility shall keep written records of all pregnancies ~~which~~ *that* are lawfully terminated within such medical care facility and shall annually submit a written report thereon to the secretary of health and environment in the manner and form prescribed by the secretary. Every person licensed to practice medicine and surgery shall keep a record of all pregnancies ~~which~~ *that* are lawfully terminated by such person in a location other than a medical care facility and shall annually submit a written report thereon to the secretary of health and environment in the manner and form prescribed by the secretary.

(b) Each report required by this section shall include the number of pregnancies terminated during the period of time covered by the report, the type of medical facility in which the pregnancy was terminated, information required to be reported under ~~subsections (b) and (c) of K.S.A. 65-6703(b) and (c), subsection (j) of K.S.A. 65-6705(j), subsection (e) of K.S.A. 65-6721(c) and K.S.A. 65-6724,~~ and amendments thereto, if applicable to the pregnancy terminated, *information required to be reported under section 8, and amendments thereto*, and such other information as may be required by the secretary of health and environment, but the report shall not include the names of the persons whose pregnancies were so terminated *or upon whom an attempted abortion was performed*. Each report required by ~~subsections (b) and (c) of K.S.A. 65-6703(b) and (c), subsection (j) of K.S.A. 65-6705(j) and subsection (e) of K.S.A. 65-6721(c),~~ and amendments thereto, shall specify the medical diagnosis and condition constituting a substantial and irreversible impairment of a major bodily function or the medical diagnosis and condition ~~which~~ *that* necessitated performance of an abortion to preserve the life of the pregnant woman. Each report required by K.S.A. 65-6703, and amendments thereto, shall include a sworn statement by the physician performing the abortion and the referring physician that such physicians are not legally or financially affiliated.

(c) Information obtained by the secretary of health and environment under this section shall be confidential and shall not be disclosed in a manner that would reveal the identity of any person licensed to practice medicine and surgery who submits a report to the secretary under this section or the identity of any medical care facility ~~which~~ *that* submits a report to the secretary under this section, except that such information, including information identifying such persons and facilities may be disclosed to the state board of healing arts upon request of the board for disciplinary action conducted by the board and may be disclosed to the attorney general or any district or county attorney in this state upon a showing that a reasonable cause exists to believe that a violation of this act has occurred. Any infor-

mation disclosed to the state board of healing arts, the attorney general or any district or county attorney pursuant to this subsection shall be used solely for the purposes of a disciplinary action or criminal proceeding. Except as otherwise provided in this subsection, information obtained by the secretary under this section may be used only for statistical purposes and such information shall not be released in a manner ~~which~~ *that* would identify any county or other area of this state in which the termination of the pregnancy occurred. A violation of this subsection (c) is a class A nonperson misdemeanor. *The provisions of this subsection shall expire on July 1, 2028, unless the legislature reviews and reenacts such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.*

(d) In addition to such criminal penalty under subsection (c), any person licensed to practice medicine and surgery or medical care facility whose identity is revealed in violation of this section may bring a civil action against the responsible person or persons for any damages to the person licensed to practice medicine and surgery or medical care facility caused by such violation.

(e) For the purpose of maintaining confidentiality as provided by subsections (c) and (d), reports ~~of terminations of pregnancies~~ required by this section shall identify the person or facility submitting such reports only by confidential code number assigned by the secretary of health and environment to such person or facility and the department of health and environment shall maintain such reports only by such number.

(f) The annual public report on abortions performed in Kansas issued by the secretary of health and environment shall contain the information required to be reported by this section to the extent such information is not deemed confidential pursuant to this section. The secretary of health and environment shall adopt rules and regulations to implement this section. Such rules and regulations shall prescribe, in detail, the information required to be kept by the physicians and hospitals and the information required in the reports ~~which~~ *that* must be submitted to the secretary.

(g) The Kansas department for children and families shall prepare and publish an annual report on the number of reports of child sexual abuse received by the department from abortion providers. Such report shall be categorized by the age of the victim and the month the report was submitted to the department. The name of the victim and any other identifying information shall be kept confidential by the department and shall not be released as part of the public report.

Sec. 11. K.S.A. 65-445 is hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the statute book.

Governor's veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **HB 2313**, was not approved by the Governor on April 14, 2023. The bill was approved on April 26, 2023 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and approved on April 26, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections, and the bill did pass and shall become law.

This certificate is made this 27th day of April 2023, by the President of the Senate and Secretary of the Senate and the Speaker of the House and Chief Clerk of the House.

Ty Masterson
President of the Senate

Corey Carnahan
Secretary of the Senate

Daniel R. Hawkins
Speaker of the House of Representatives

Susan W. Kannarr
Chief Clerk of the House of Representatives

CHAPTER 86

HOUSE BILL No. 2094

AN ACT concerning public assistance; relating to child care assistance; non-cooperation with child support; requiring the secretary to conduct reviews of cooperation; requiring work registrants aged 50 through 59 to complete an employment and training program to receive food assistance; amending K.S.A. 2022 Supp. 39-709 and repealing the existing section.

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

Section 1. K.S.A. 2022 Supp. 39-709 is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion; or

(2) is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be granted under this act to any dependent child, or relative, subject to the gen-

eral eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, “family group” or “household” means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for 24 calendar months beginning on and after October 1, 1996, unless the secretary determines a hardship exists and grants an extension allowing receipt of TANF until the 36-month limit is reached. No extension beyond 36 months shall be granted. Hardship provisions for a recipient include:

- (A) Is a caretaker of a disabled family member living in the household;
- (B) has a disability that precludes employment on a long-term basis or requires substantial rehabilitation;
- (C) needs a time limit extension to overcome the effects of domestic violence/~~sexual~~ *violence or sexual* assault;
- (D) is involved with prevention and protection services and has an open social service plan; or
- (E) is determined by the 24th month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through (D). This determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include that the applicant:

(A) Can document an existing certification verifying completion of the work program assessment;

(B) has a valid offer of employment or is employed a minimum of 20 hours a week;

(C) is a parenting teen without a GED or high school diploma;

(D) is enrolled in job corps;

(E) is working with a refugee social services agency; or

(F) has completed the work program assessment within the last 12 months.

(3) The Kansas department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) (A) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary.

(B) In order to meet federal work participation requirements, households shall meet at least 30 hours of participation per week, at least 20 hours of which shall be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households, 35 hours per week if child care is not used. The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate, both parents shall participate in a combined total of 55 hours per week, 50 hours of which shall be in primary components, or one or both parents could be assigned a combined total of 35 hours per week, 30 hours of which must be primary components, if the Kansas department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component.

(C) The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the age of three months in their TANF household shall be

exempt from work participation activities until the month the child attains three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed by:

(A) Either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent. Such person shall become exempt the month such person attains 20 years of age; or

(D) any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per 24-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. A TANF participant shall provide current documentation by a qualified medical practitioner that details the ability to engage in employment and any limitation in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with work programs shall be as follows, for a:

(A) First penalty, three months and full cooperation with work program activities;

(B) second penalty, six months and full cooperation with work program activities;

(C) third penalty, one year and full cooperation with work program activities; and

(D) fourth or subsequent penalty, 10 years.

(9) Individuals who have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods are three months, six months, one year, or 10 years.

(10) ~~(A) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy.~~ The period of ineligibility for ~~child care subsidy or~~ TANF benefits based on parents' non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with child support services shall be as follows, for a:

~~(A)(i)~~ First penalty, three months and cooperation with child support services prior to regaining eligibility;

~~(B)(ii)~~ second penalty, six months and cooperation with child support services prior to regaining eligibility;

~~(C)(iii)~~ third penalty, one year and cooperation with child support services prior to regaining eligibility; and

~~(D)(iv)~~ fourth penalty, 10 years.

(B) (i) *The period of ineligibility for child care subsidy based on parents' non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with child support services shall be as follows, for a:*

(a) *First penalty, three months and cooperation with child support services prior to regaining eligibility;*

(b) *second penalty, six months and cooperation with child support services prior to regaining eligibility;*

(c) *third penalty, one year and cooperation with child support services prior to regaining eligibility; and*

(d) *fourth penalty, 10 years.*

(ii) *The secretary, or the secretary's designee, shall review child support compliance of a parent:*

(a) *Upon application for child care subsidy;*

(b) *after 12 months of continuous eligibility for child care subsidy; and*

(c) *following such 12 months of continuous eligibility when the secretary renews or redetermines a parent's eligibility for child care subsidy.*

(11) Individuals who have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) (A) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2022 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2022 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2022 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(B) Any individual who has failed to cooperate with a fraud investigation shall be ineligible to participate in the TANF cash assistance program and the child care subsidy program until the Kansas department for children and families determines that such individual is cooperating with the fraud investigation. The Kansas department for children and families shall maintain a sufficient level of fraud investigative staff to enable the department to conduct fraud investigations in a timely manner and in full accordance with state law and department rules and regulations or policies.

(13) (A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, that includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if such individual has been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog.

(B) (i) Notwithstanding the provisions of subparagraph (A), an individual shall be eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(ii) An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed,

the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas.

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(D) The Kansas department for children and families shall monitor all recipient requests for a Kansas benefits card replacement and, upon the fourth such request in a 12-month period, send a notice alerting the recipient that the recipient's account is being monitored for potential suspicious activity. If a recipient makes an additional request for replacement subsequent to such notice, the department shall refer the investigation to the department's fraud investigation unit.

(16) The secretary for children and families shall adopt rules and regulations for:

(A) Determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED;

(iv) adults who are participants in a food assistance employment and training program;

(v) adults who are participants in an early head start child care partnership program and are working or in school or training; or

(vi) adults who are caretakers of a child in custody of the secretary in out-of-home placement needing child care.

The Kansas department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the United States department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) (A) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the United States department of agriculture for the time limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults

are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(B) Each food assistance household member who is not otherwise exempt from the following work requirements shall: Register for work; participate in an employment and training program, if assigned to such a program by the department; accept a suitable employment offer; and not voluntarily quit a job of at least 30 hours per week.

(C) Any recipient who has not complied with the work requirements under subparagraph (B) shall be ineligible to participate in the food assistance program for the following time period and until the recipient complies with such work requirements for a:

- (i) First penalty, three months;
- (ii) second penalty, six months; and
- (iii) third penalty and any subsequent penalty, one year.

(D) The Kansas department for children and families shall assign all individuals subject to the requirements established under 7 U.S.C. § 2015(d)(1) to an employment and training program as defined in 7 U.S.C. § 2015(d)(4). The provisions of this subparagraph shall only apply to:

- (i) Able-bodied adults aged 18 through 49 without dependents; ~~and~~
- (ii) *work registrants aged 50 through 59 without dependents not exempt from 7 U.S.C. § 2015(d)(2); and*
- (iii) individuals who are not employed at least 30 hours per week.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by United States department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the United States department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining household members.

(19) The secretary for children and families shall not enact the state option from the United States department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2015(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2015(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) (1) The Kansas department for children and families shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. For TANF cash assistance, food assistance and the child care subsidy program, the department shall verify the identity of all adults in the assistance household.

(2) The department of administration shall provide monthly to the Kansas department for children and families the social security numbers or alternate taxpayer identification numbers of all persons who claim a Kansas lottery prize in excess of \$5,000 during the reported month. The Kansas department for children and families shall verify if individuals with such winnings are receiving TANF cash assistance, food assistance or assistance under the child care subsidy program and take appropriate action. The Kansas department for children and families shall use data received under this subsection solely, and for no other purpose, to determine if any recipient's eligibility for benefits has been affected by lottery prize winnings. The Kansas department for children and families shall not publicly disclose the identity of any lottery prize winner, including recipients who are determined to have illegally received benefits.

(d) *Temporary assistance for needy families; assignment of support rights and limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the

child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

(e) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act, public law 111-148, 124 stat. 119, and

the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to, and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless:

(i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and

(ii) the trust is funded:

(a) From resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or

(b) not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, “public assistance” includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met:

(i) The contract, agreement or accord must be in writing and executed prior to any services being provided;

(ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals;

(iii) if no similarly situated nonlicensed individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards;

(iv) such individual providing the services shall report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies;

(v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered;

(vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and

(vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

(f) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

(g) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.*

(1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for

such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection (e) is a claim against the property or any interest therein belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both and a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, 17-2263 or 17-2264, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection (e) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under

21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection (e) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes without limitation, assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county

where the real property is located within one year from the date of death of the recipient and must contain the legal description of all real property in the county subject to the lien.

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

- (A) After the death of the surviving spouse of the recipient;
- (B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;
- (C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or
- (D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before

the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

(h) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of

a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

(i) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

(j) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

(k) By applying for or receiving child care ~~benefits~~ *subsidy* or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care ~~benefits~~ *subsidy* or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the

specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of temporary assistance for needy families.

(1) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary

for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the des-

ignated individual indicating unlawful use of a controlled substance or controlled substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense that is classified as a felony by the law of the jurisdiction and has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense that is classified as a felony by the law of the jurisdiction and has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families, the results of any drug screening administered as part of the drug screening program authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes An-

notated, and amendments thereto, and any rules and regulations adopted pursuant to such provisions.

(B) “Controlled substance” means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) “Controlled substance analog” means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto.

Sec. 2. K.S.A. 2022 Supp. 39-709 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Governor’s veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **HB 2094**, was not approved by the Governor on April 24, 2023. The bill was approved on April 26, 2023 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and approved on April 27, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections, and the bill did pass and shall become law.

This certificate is made this 28th day of April 2023, by the President of the Senate and Secretary of the Senate and the Speaker of the House and Chief Clerk of the House.

Ty Masterson
President of the Senate

Corey Carnahan
Secretary of the Senate

Daniel R. Hawkins
Speaker of the House of Representatives

Susan W. Kannarr
Chief Clerk of the House of Representatives

CHAPTER 87

Senate Substitute for HOUSE BILL No. 2138

AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section.

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

New Section 1. (a) The board of education of each school district shall adopt a policy requiring that separate overnight accommodations be provided for students of each biological sex during school district sponsored travel that requires overnight stays by students. Such policy shall be provided to parents prior to a student's participation in an activity or travel that requires overnight stays by students.

(b) Any student who is subject to retaliation or other adverse action by a school district or any employee thereof as a result of reporting a violation of this section shall have a private cause of action for injunctive relief, damages and any other relief available under law against such school district. All civil actions shall be initiated within two years after the harm occurred. Students 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.

(c) As used in this section:

(1) "Biological sex" means the biological indication of male and female in the context of reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones, gonads and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen or subjective experience of gender;

(2) "school district sponsored travel" means any travel that is necessary for students to attend, participate or compete in any event or activity that is sponsored or sanctioned by a school operated by the school district, including, but not limited to, any travel that is organized:

(A) By any club or other organization recognized by the school;

(B) through any communication facilitated by the school, such as email; or

(C) through fundraising activities conducted, in whole or in part, by school district employees or on school district property.

New Sec. 2. (a) If the association enters into or renews an exclusive broadcast agreement for a regular season activity or postseason activity, such agreement shall not prohibit local broadcasters from broadcast-

ing a school's regular season activity or postseason activity if the local broadcasters:

(1) Provide broadcast services for the school that is participating in the postseason activity;

(2) broadcast at least $\frac{1}{3}$ of the events of such activity during the regular season; and

(3) entered into valid broadcast agreements to broadcast the events of the activity during the regular season.

(b) The provisions of this section shall not prohibit the association from requiring local broadcasters to enter into regular season or postseason broadcast agreements with stipulations that may include, but are not limited to:

(1) Reasonable compensation for broadcasts, except that no fee shall be charged for such broadcasts;

(2) approval by host site;

(3) limitations on organizations that are permitted to sponsor part of the broadcast; and

(4) requirements for competent and professional announcers.

(c) As used in this section:

(1) "Activity" and "activities" mean the same as defined in K.S.A. 72-7117, and amendments thereto.

(2) "Association" means the state high school activities association or any association authorized by K.S.A. 72-7114, and amendments thereto.

(3) "Broadcast" means the live or recorded audio or video transmission of an activity, play-by-play or similar accounts of such activity via radio, television, internet or other technologies.

(4) "Exclusive broadcast agreement" means an agreement entered into between the association and an organization to broadcast association activities under which such organization retains sole rights to broadcast such activities or first right to broadcast such activities.

(5) "Local broadcaster" means an organization, located in Kansas, that provides local broadcast services for any activity of a local school. "Local broadcaster" includes a student organized broadcast that is offered as an educational course or program by the school.

(6) "Organization" means an individual, public or private corporation, partnership, limited liability company, association, joint venture or any other legal or commercial entity.

(7) "Postseason activity" means an association-sponsored activity that occurs after the regular season is complete, including individual games and tournaments.

Sec. 3. On and after January 1, 2024, K.S.A. 72-1431 is hereby amended to read as follows: 72-1431. (a) As used in this section, "school building" means any building or structure operated or maintained by the board of education of a unified school district.

(b) The board of education of any unified school district, by adoption of a resolution, may close any school building at any time the board determines that the building should be closed to improve the school system of the unified school district. The board of education may close more than one school building in one resolution. A resolution adopted pursuant to this section shall require a majority vote of the members of the board of education and shall require no other approval.

(c) Prior to adopting a resolution closing any school building, the board of education shall call and hold a hearing on the proposal. The notice of such hearing shall include the reasons for the proposed closing, the name of any affected *school* building and the name of any school building to which the involved ~~pupils~~ *students* shall be reassigned. Such notice also shall include the time, date and place of the public hearing to be held on the proposal. Such notice shall be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district. The last publication shall be at least 10 but not more than 20 days prior to the date of the public hearing.

(d) At *any* such hearing, the board shall hear testimony as to the advisability of the proposed closing, and a representative of the board shall present the board's proposal for such closing. Following the public hearing, or any continuation of such hearing, and after considering all of the testimony and evidence presented or submitted at the public hearing, the board shall determine whether the school building should be closed to improve the school system of the unified school district.

(e) The state board of education shall conduct an administrative review of a resolution adopted pursuant to this section if the state board receives a request for administrative review signed by at least 5% of the registered voters of such school district who are dissatisfied with such resolution not later than 45 days after the adoption of such resolution. Such request shall be made in such form and manner as prescribed by the state board of education. Upon receipt of any such request, the state board of education shall review the resolution to determine the reasonableness thereof. Not later than 45 days after receipt of any such request, the state board shall issue an advisory determination to the school district that states whether the school district's resolution is reasonable under the totality of the circumstances. Such advisory determination may include recommendations regarding modifying or rescinding the resolution. If the state board receives more than one request for administrative review on the same school district resolution, the state board may dismiss any requests received after the initial request or combine such requests with the initial request.

(f) Upon receipt of an advisory determination issued pursuant to subsection (e), including any advisory determination that the resolution is

reasonable, the board of education of such school district shall reconsider such resolution. In reconsidering such resolution, the board of education shall hold a public hearing in accordance with the provisions of subsections (c) and (d) and may approve, modify and approve or rescind such resolution upon the conclusion of such hearing.

(g) No resolution adopted pursuant to this section shall be effective until the 45-day time period provided under subsection (e) has elapsed without a request for administrative review.

Sec. 4. On and after January 1, 2024, K.S.A. 72-1431 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Governor's veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **HB 2138**, was not approved by the Governor on April 20, 2023. The bill was approved on April 26, 2023 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and approved on April 27, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections, and the bill did pass and shall become law.

This certificate is made this 28th day of April 2023, by the President of the Senate and Secretary of the Senate and the Speaker of the House and Chief Clerk of the House.

Ty Masterson
President of the Senate

Corey Carnahan
Secretary of the Senate

Daniel R. Hawkins
Speaker of the House of Representatives

Susan W. Kannarr
Chief Clerk of the House of Representatives

CHAPTER 88

HOUSE BILL No. 2264

AN ACT concerning health and healthcare; relating to abortion; requiring certain notifications that a medication abortion may be reversed; excluding certain procedures from the definition of abortion; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 and repealing the existing sections.

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

New Section 1. (a) As used in this section:

(1) “Abortion” means the same as defined in K.S.A. 65-6701, and amendments thereto.

(2) “Medication abortion” means the use or prescription of any drug for the purpose of inducing an abortion.

(3) “Medical emergency” means the same as defined in K.S.A. 65-6701, and amendments thereto.

(b) (1) Any private office, freestanding surgical outpatient clinic, hospital or other medical care facility or clinic or any pharmacy where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post a conspicuous sign that is clearly visible to patients and customers, that is printed with lettering that is legible and at least $\frac{3}{4}$ of an inch boldfaced type and that reads:

“NOTICE TO PATIENTS HAVING MEDICATION ABORTIONS THAT USE MIFEPRISTONE: Mifepristone, also known as RU-486 or mifeprex, alone is not always effective in ending a pregnancy. It may be possible to reverse its intended effect if the second pill or tablet has not been taken or administered. If you change your mind and wish to try to continue the pregnancy, you can get immediate help by accessing available resources.”

The notice shall also include information about the department of health and environment website, required to be maintained under K.S.A. 65-6710, and amendments thereto, and other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(2) (A) Any private office or freestanding surgical outpatient clinic where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post the sign required by paragraph (1) in each patient waiting room and patient consultation room used by patients seeking medication abortions.

(B) A hospital or other medical care facility or clinic where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion that is not a private office or freestanding surgical outpatient clinic shall post the sign required by paragraph (1) in each patient admission area used by patients seeking medication abortions that use mifepristone.

(C) A pharmacy where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post the sign required by paragraph (1) in the area inside the premises where customers are provided prescription medications and on the exterior of the premises in the area where customers are provided prescription medications via a drive-through window.

(c) (1) Except in the case of a medical emergency, no physician shall provide, induce or attempt to provide or induce a medication abortion that use mifepristone without informing the woman, in writing, in the manner prescribed by K.S.A. 65-6709, and amendments thereto, and also either by telephone or in person, at least 24 hours prior to the medication abortion:

(A) That it may be possible to reverse the intended effects of a medication abortion that uses mifepristone, if the woman changes her mind, but that time is of the essence; and

(B) information on reversing the effects of a medication abortion that uses mifepristone is available on the department of health and environment's website, required to be maintained under K.S.A. 65-6710, and amendments thereto, and other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(2) After a physician dispenses or provides an initial administration of mifepristone to a patient for the purposes of performing a medication abortion, the physician or an agent of the physician shall provide a legible, written notice to the patient that includes the same information as required under subsection (b)(1).

(d) When a medical emergency compels the performance of a medication abortion that use mifepristone, the physician shall inform the woman, prior to the medication abortion, if possible, of the medical indications supporting the physician's judgment that an abortion is necessary to avert the woman's death or that a 24-hour delay would create serious risk of substantial and irreversible impairment of a major bodily function, excluding psychological or emotional conditions.

(e) Within 90 days after the effective date of this section, the department of health and environment shall cause to be published, in English and in each language that is the primary language of 2% or more of the state's population, in print and on the website required to be maintained under K.S.A. 65-6710, and amendments thereto, comprehensible materials designed to inform women of the possibility of reversing the effects of a medication abortion that uses mifepristone and information on resources available to reverse the effects of a medication abortion that uses mifepristone. The website shall also include other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(f) Upon a first conviction of a violation of this section, a person shall be guilty of a class A person misdemeanor. Upon a second or subsequent conviction of a violation of this section, a person shall be guilty of a severity level 10, person felony.

(g) The department of health and environment shall assess a fine of \$10,000 to any private office, freestanding surgical outpatient clinic, hospital or other clinic or facility that fails to post a sign required by subsection (b). Each day that a medication abortion that uses mifepristone, other than a medication abortion that is necessary to prevent the death of the pregnant woman, is performed in any private office, freestanding surgical outpatient clinic, hospital or other facility or clinic when the required sign is not posted during a portion of that day's business hours when patients or prospective patients are present shall be a separate violation. The department of health and environment shall remit all moneys received from fines under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the state general fund.

(h) (1) If a physician provides a medication abortion using mifepristone in violation of this section, the following individuals may bring a civil action in a court of competent jurisdiction against the physician for actual damages, exemplary and punitive damages and any other appropriate relief:

- (A) A woman to whom such medication abortion has been provided;
- (B) the father of the unborn child who was subject to such medication abortion; or
- (C) any grandparent of the unborn child who was subject to such medication abortion, if the woman was not 18 years of age or older at the time the medication abortion was performed or if the woman died as a result of the medication abortion.

(2) Notwithstanding any other provision of law, any action commenced in accordance with this subsection shall be filed within two years after the later of:

- (A) The date of the discovery of the violation under this section; or
 - (B) the conclusion of a related criminal case.
- (3) In any action brought under this section, the court shall award reasonable attorney fees and costs to:
- (A) A prevailing plaintiff; or
 - (B) a prevailing defendant upon a finding that the action was frivolous and brought in bad faith.
- (4) Except for the woman to whom the medication abortion was provided, no action may be brought by any person whose criminal conduct resulted in the pregnancy, and any such person shall not be awarded any damages in any action brought pursuant to this section.

(i) In any civil or criminal proceeding or action brought under this section, the court shall rule whether the anonymity of any woman to whom a medication abortion has been provided, induced or attempted to be provided or induced shall be preserved from public disclosure, if she does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard the woman's identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman to whom a medication abortion has been provided, induced or attempted to be provided or induced, any person, other than a public official, who brings an action under this section shall do so under a pseudonym. This subsection shall not be construed to conceal the identity of the plaintiff or witnesses from the defendant.

(j) If any provision of this section, or any application thereof to any person or circumstance, is held invalid by court order, then such invalidity shall not affect the remainder of this section and any application thereof to any person or circumstance that can be given effect without such invalid provision or application, and to this end, the provisions of this section are declared to be severable.

(k) The provisions of this section shall be a part of and supplemental to the woman's-right-to-know act.

Sec. 2. K.S.A. 40-2,190 is hereby amended to read as follows: 40-2,190. (a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization, municipal group-funded pool and the state employee health care benefits plan which is delivered, issued for delivery, amended or renewed on or after July 1, 2011, shall exclude coverage for elective abortions, unless the procedure is necessary to preserve the life of the mother. Coverage for abortions may be obtained through an optional rider for which an additional premium is paid. The premium for the optional rider shall be calculated so that it fully covers the estimated cost of covering elective abortions per enrollee as determined on an average actuarial basis.

(b) No health insurance exchange established within this state or any health insurance exchange administered by the federal government or its agencies within this state shall offer health insurance contracts, plans, or policies that provide coverage for elective abortions, nor shall any health

insurance exchange operating within this state offer coverage for elective abortions through the purchase of an optional rider.

(c) For the purposes of this section:

(1) ~~“Abortion” means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(2) ~~“Elective” means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; provided, except that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that she such mother will engage in conduct which that will result in her such mother’s death.~~

~~(d) The provisions of this section shall be effective from and after July 1, 2011.~~

Sec. 3. K.S.A. 65-4a01 is hereby amended to read as follows: 65-4a01. As used in K.S.A. 65-4a01 through 65-4a12, and amendments thereto:

(a) ~~“Abortion” means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b) ~~“Ambulatory surgical center” means an ambulatory surgical center as defined in K.S.A. 65-425, and amendments thereto.~~

(c) ~~“Bodily function” means physical functions only. The term “bodily function” does not include mental or emotional functions.~~

(d) ~~“Clinic” means any facility, other than a hospital or ambulatory surgical center, in which any second or third trimester, or five or more first trimester abortions are performed in a month.~~

(e) ~~“Department” means the department of health and environment.~~

(f) ~~“Elective abortion” means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; provided, except that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that she such mother will engage in conduct which that would result in her such mother’s death.~~

(g) “Facility” means any clinic, hospital or ambulatory surgical center; in which any second or third trimester elective abortion; or five or more first trimester elective abortions are performed in a month, excluding any abortion performed due to a medical emergency.

(h) “Gestational age” ~~has the same meaning ascribed thereto~~ *means the same as defined* in K.S.A. 65-6701, and amendments thereto, and shall be determined pursuant to K.S.A. 65-6703, and amendments thereto.

(i) “Hospital” means a hospital as defined in ~~subsection (a) or (b) of~~ K.S.A. 65-425(a) or (b), and amendments thereto.

(j) “Medical emergency” ~~means a condition that, in a reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death, or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function~~ *the same as defined in K.S.A. 65-6701, and amendments thereto.*

(k) “Physician” ~~has the same meaning ascribed thereto~~ *means the same as defined* in K.S.A. 65-6701, and amendments thereto.

(l) “Secretary” means the secretary of the department of health and environment.

Sec. 4. K.S.A. 65-6701 is hereby amended to read as follows: 65-6701. As used in K.S.A. 65-6701 through 65-6721, and amendments thereto:

(a) (1) “Abortion” means the use or prescription of any instrument, medicine, drug or any other substance or device ~~means~~ to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy ~~knowing that such termination will, with reasonable likelihood, result in the death of the unborn child.~~

(2) *Such use or prescription is not an “abortion” if done with the intent to:*

(A) *Preserve the life or health of the unborn child;*

(B) *increase the probability of a live birth;*

(C) *remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or the unborn child; or*

(D) *remove an ectopic pregnancy.*

(3) “Abortion” does not include the prescription, dispensing, administration, sale or use of any method of contraception.

(b) “Bodily function” means physical functions only. The term “bodily function” does not include mental or emotional functions.

(c) “Counselor” means a person who is: (1) Licensed to practice medicine and surgery; (2) licensed to practice professional or practical nursing; (3) the following persons licensed to practice behavioral sciences: Licensed psychologists, licensed master’s level psychologists, licensed clinical psychotherapists, licensed social workers, licensed specialist clinical social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors; (4) a licensed physician assistant; or (5) a currently ordained member of the clergy or religious authority of any religious denomination or society. Counselor does not include the physician who performs or induces the abortion or a physician or other person who assists in performing or inducing the abortion.

(d) “Department” means the department of health and environment.

(e) “Fertilization” means the fusion of a human spermatozoon with a human ovum.

(f) “Gestational age” means the time that has elapsed since the first day of the woman’s last menstrual period.

(g) “Medical emergency” means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of ~~her~~ *such woman’s* pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that ~~the~~ *such* woman will engage in conduct ~~which~~ *that* would result in ~~her~~ *such woman’s* death or in substantial and irreversible physical impairment of a major bodily function.

(h) “Minor” means a person less than 18 years of age.

(i) “Physician” means a person licensed to practice medicine and surgery in this state.

(j) “Pregnant” or “pregnancy” means that female reproductive condition of having an unborn child in the mother’s body.

(k) “Qualified person” means an agent of the physician who is a psychologist, licensed social worker, licensed professional counselor, licensed marriage and family therapist, licensed master’s level psychologist, licensed clinical psychotherapist, registered nurse or physician.

(l) “Unemancipated minor” means any minor who has never been: (1) Married; or (2) freed, by court order or otherwise, from the care, custody and control of the minor’s parents.

(m) “Viable” means that stage of fetal development when it is the physician’s judgment according to accepted obstetrical or neonatal standards

of care and practice applied by physicians in the same or similar circumstances that there is a reasonable probability that the life of the child can be continued indefinitely outside the mother's womb with natural or artificial life-supportive measures.

Sec. 5. K.S.A. 65-6708 is hereby amended to read as follows: 65-6708, K.S.A. 65-6701 and K.S.A. 65-6708 ~~to through 65-6715, inclusive,~~ and amendments thereto, *and section 1, and amendments thereto*, shall be known and may be cited as the woman's-right-to-know act.

Sec. 6. K.S.A. 65-6723 is hereby amended to read as follows: 65-6723. As used in K.S.A. 65-6722 through 65-6724, and amendments thereto:

(a) ~~"Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b) "Bodily function" means physical function. The term "bodily function" does not include mental or emotional functions.

(c) "Department" means the department of health and environment.

(d) "Gestational age" means the time that has elapsed since the first day of the woman's last menstrual period.

(e) ~~"Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

(f) "Pain-capable unborn child" means an unborn child having reached the gestational age of 22 weeks or more.

(g) "Physician" means a person licensed to practice medicine and surgery in this state.

(h) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.

Sec. 7. K.S.A. 65-6742 is hereby amended to read as follows: 65-6742. As used in K.S.A. 65-6741 through 65-6749, and amendments thereto:

(a) ~~“Abortion” means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b) (1) ~~“Dismemberment abortion” means, with the purpose of causing the death of an unborn child, knowingly dismembering a living unborn child and extracting such unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush or grasp a portion of the unborn child’s body in order to cut or rip it off.~~

(2) ~~The term “dismemberment abortion” does not include an abortion which that uses suction to dismember the body of the unborn child by sucking fetal parts into a collection container, although it does include. “Dismemberment abortion” includes an abortion in which a dismemberment abortion, as defined in subsection (b)(1) paragraph (1), is used to cause the death of an unborn child, but suction is subsequently used to extract fetal parts after the death of the unborn child.~~

(c) ~~“Knowingly” shall have the same meaning attributed to such term means the same as defined in K.S.A. 2022 Supp. 21-5202, and amendments thereto.~~

(d) ~~“Medical emergency” means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

Sec. 8. K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

Governor’s veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **HB 2264**, was not approved by the Governor on April 19, 2023. The bill was approved on April 26, 2023 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and approved on April 27, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections, and the bill did pass and shall become law.

This certificate is made this 28th day of April 2023, by the President of the Senate and Secretary of the Senate and the Speaker of the House and Chief Clerk of the House.

Ty Masterson
President of the Senate

Corey Carnahan
Secretary of the Senate

Daniel R. Hawkins
Speaker of the House of Representatives

Susan W. Kannarr
Chief Clerk of the House of Representatives

CHAPTER 89

HOUSE BILL No. 2350*

AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; creating the crimes of human smuggling and aggravated human smuggling; providing criminal penalties therefor.

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

Section 1. (a) (1) Human smuggling is intentionally transporting, harboring or concealing an individual into or within Kansas when the person:

(A) Knows, or should have known, that the individual is entering into or remaining in the United States illegally;

(B) benefits financially or receives anything of value; and

(C) knows, or should have known, that the individual being smuggled is likely to be exploited for the financial gain of another.

(2) Aggravated human smuggling is human smuggling that:

(A) Is committed using a deadly weapon or by threat of use of a deadly weapon;

(B) causes bodily harm, great bodily harm or disfigurement to the individual being smuggled; or

(C) causes the individual being smuggled to become a victim of a sex offense described in article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or human trafficking as defined in K.S.A. 2022 Supp. 21-5426, and amendments thereto, or causes the person to commit selling sexual relations as defined in K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(b) (1) Human smuggling is a severity level 5, person felony; and

(2) aggravated human smuggling is a severity level 3, person felony.

(c) This section shall be a part of and supplemental to the Kansas criminal code.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

Governor's veto overridden.

(See Messages from the Governor)

CERTIFICATE

In accordance with K.S.A. 45-304, it is certified that **HB 2350**, was not approved by the Governor on April 24, 2023. The bill was approved on April 26, 2023 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate and approved on April 27, 2023 by two-thirds of the members elected to the Senate notwithstanding the objections, and the bill did pass and shall become law.

This certificate is made this 28th day of April 2023, by the President of the Senate and Secretary of the Senate and the Speaker of the House and Chief Clerk of the House.

Ty Masterson
President of the Senate

Corey Carnahan
Secretary of the Senate

Daniel R. Hawkins
Speaker of the House of Representatives

Susan W. Kannarr
Chief Clerk of the House of Representatives

CHAPTER 90

Substitute for SENATE BILL No. 131

AN ACT concerning certain healthcare providers; relating to powers, duties and functions of the state board of healing arts; providing a sports waiver for certain out-of-state physicians to practice medicine on a limited basis in this state during certain sporting events; authorizing the state board of healing arts to adopt procedures to allow other licensed and regulated healthcare professionals to be issued a sports waiver; authorizing the state board of healing arts to adopt rules and regulations related thereto; relating to pharmacy; authorizing pharmacy technicians to administer certain vaccines; relating to the behavioral sciences; relating to licensure and regulation of professional counselors, social workers, marriage and family therapists, addiction counselors, behavior analysts, psychologists and master's level psychologists; requiring the behavioral sciences regulatory board to process applications within a certain time and establish an expedited application process; providing reduced diagnosis and treatment continuing education requirements; establishing license categories for applicants from social work programs in candidacy for accreditation and for temporary reinstatement; extending the license period of temporary licenses; establishing a community-based license for professional counselors, social workers, master's level social workers; marriage and family therapists, psychologists and master's level psychologists; amending K.S.A. 65-1635a, 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 and repealing the existing sections; also repealing K.S.A. 74-5339.

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

New Section 1. (a) Notwithstanding any other provision of law to the contrary, an out-of-state physician holding a license issued by the applicable licensing agency of another state may practice medicine on a limited basis in this state during certain sporting events, if such physician receives a sports waiver issued by the state board of healing arts. The board shall issue such a waiver within 15 days after receipt of a complete application if the physician:

(1) Submits a complete application in the manner determined by the board;

(2) holds an unrestricted license to practice medicine and surgery in another state and is not the subject of any investigation or disciplinary action by any applicable licensing agency;

(3) has professional liability coverage for the duration of the sporting event that meets the minimum level of coverage required to practice in Kansas; and

(4) meets at least one of the following qualifications:

(A) The physician has entered into a written agreement with a sports team to provide medical care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state;

(B) the physician has been invited by a national sport governing body to provide healthcare services to team members and coaching staff at a national sport training center in this state; or

(C) the physician has been invited by a national sport governing body to provide healthcare services at an event or competition in this state that is sanctioned by a national sport governing body.

(b) Any individual practicing under a sports waiver issued by the board shall be limited to:

(1) The scope of practice defined by Kansas law for such healthcare profession; and

(2) such healthcare services required under the written agreement either with a sports team for team members and coaching staff or healthcare services that are required by the national sport governing body.

(c) Any individual practicing pursuant to a sports waiver under the provisions of this section shall be subject to all rules and regulations relating to the practice of the licensed profession in this state and shall be considered a licensee for the purposes of the provisions of law administered by the board.

(d) (1) A sports waiver issued under this section shall be valid for the time certified by the healthcare professional or national sports governing body for each respective sporting event, except that no waiver shall be valid for longer than 30 days.

(2) An individual shall not be issued more than five sports waivers in a calendar year, unless otherwise approved by the board for an extenuating, unforeseen circumstance.

(e) Nothing in this section shall be construed to permit any individual issued a sports waiver under the provisions of this section to:

(1) Provide healthcare services or consultation to any individual residing in this state, other than individuals described in subsection (a); or

(2) practice the individual's healthcare profession at a licensed healthcare facility in this state.

(f) Any individual issued a sports waiver or out-of-state sports team receiving services from such individual shall report to the board any potential violation of the healing arts act or other applicable practice act, including, but not limited to, professional incompetence or unprofessional conduct.

(g) Nothing in this section shall be construed to prohibit the board from denying an application for a sports waiver under this section if the board determines that the individual does not meet technical qualifications or granting the application may endanger the health and safety of the public.

(h) (1) The board may adopt rules and regulations necessary to implement the provisions of this section, including, but not limited to, procedures for reporting potential medical violations.

(2) Consistent with this section, the board may adopt procedures to allow other healthcare professionals licensed and regulated by the board to be issued a sports waiver to ensure patient safety.

(i) This section shall be a part of and supplemental to article 28 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 2. (a) Within 15 business days after receipt of an application for any license, registration, permit or certificate issued by the behavioral sciences regulatory board, the board shall notify the applicant whether the board believes that the application is complete. If the application is determined to be incomplete, the board shall notify the applicant of the information needed in order to complete the application. Once the application is determined to be complete, the board shall complete the review of the application and issue a decision thereon within 30 business days.

(b) (1) The behavioral sciences regulatory board shall adopt rules and regulations to establish an expedited application process for any license, registration, permit or certificate issued by the board. Upon request on the application to expedite the processing of such application and payment of the fee, the board shall complete the review of the application and issue a decision thereon within 15 business days.

(2) (A) The board shall set the fee for an expedited application process by adopting rules and regulations. Such fee shall be in addition to any other fee established for the application but shall not exceed \$100. The board shall not charge such fee for an expedited application process to any applicant who is a military servicemember or military spouse.

(B) As used in this paragraph:

(i) “Military servicemember” means a current member of the army, navy, marine corps, air force, coast guard, space force, air or army national guard of any state or any branch of the military reserves of the United States or a former member who separated from service by honorable discharge or general discharge under honorable conditions.

(ii) “Military spouse” means the spouse of an individual who is a current member of the army, navy, marine corps, air force, coast guard, space force, air or army national guard of any state or any branch of the military reserves of the United States.

Sec. 3. K.S.A. 65-1635a is hereby amended to read as follows: 65-1635a. (a) A pharmacist, or a pharmacy student-~~or~~, intern *or pharmacy technician* who is *18 years of age or older and* working under the direct supervision and control of a pharmacist, may administer influenza vaccine to a person six years of age or older and may administer vaccine, other than influenza vaccine, to a person 12 years of age or older pursuant to a vaccination protocol if the pharmacist, pharmacy student-~~or~~, intern *or pharmacy technician* has successfully completed a course of study and training, approved by the accreditation council for pharmacy or the board, in vaccination storage,

protocols, injection technique, emergency procedures and recordkeeping and has taken a course in cardiopulmonary resuscitation (CPR) and has a current CPR certificate when administering vaccine. A pharmacist ~~or~~, pharmacy student ~~or~~, intern *or pharmacy technician* who successfully completes such a course of study and training shall maintain proof of completion and, upon request, provide a copy of such proof to the board.

(b) All vaccinees will be given a written immunization record for their personal files. The administering pharmacist or pharmacist supervising an administering pharmacy student ~~or~~, intern *or pharmacy technician* shall promptly report a record of the immunization to the vaccinee's primary care provider by mail, electronic facsimile, ~~e-mail~~ *email* or other electronic means. If the vaccinee does not have a primary care provider, then the administering pharmacist or pharmacist supervising an administering pharmacy student ~~or~~, intern *or pharmacy technician* shall promptly report a record of the immunization to the person licensed to practice medicine and surgery by the state board of healing arts who has entered into the vaccination protocol with the pharmacist. The immunization will also be reported to appropriate county or state immunization registries, except that if the person vaccinated or, if the person is a minor, the parent or guardian of the minor, objects to the report, the report shall not be made.

(c) A pharmacist, pharmacy student ~~or~~, intern ~~may~~ *or pharmacy technician shall* not delegate to any person the authority granted under this act to administer a vaccine.

(d) As used in this section, "pharmacist" means a pharmacist as defined in K.S.A. 65-1626, and amendments thereto, who has:

(1) Successfully completed a course of study and training, approved by the accreditation council for pharmacy or the board, in vaccination storage, protocols, injection technique, emergency procedures and recordkeeping ~~and has~~;

(2) taken a course in cardiopulmonary resuscitation (CPR); and ~~has~~

(3) a current CPR certificate.

(e) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 4. K.S.A. 65-5802 is hereby amended to read as follows: 65-5802. As used in the professional counselors licensure act:

(a) "Assessment" means selecting, administering, scoring and interpreting instruments designed to describe an individual's aptitudes, abilities, achievements, interests and personal characteristics.

(b) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.

(c) "Consultation" means the application of principles, methods and techniques of the practice of counseling to assist in solving current or potential problems of individuals or groups in relation to a third party.

(d) “*Extenuating circumstances*” means any condition or situation caused by events beyond an individual’s control that is sufficiently extreme in nature to result in the:

- (1) Individual’s inability to comply with requirements; or
- (2) inadvisability of requiring the individual to comply with requirements.

(e) “*Licensed clinical professional counselor*” means a person who engages in the independent practice of professional counseling including the diagnosis and treatment of 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 and who is licensed under this act.

(f) “*Licensed professional counselor*” means a person who is licensed under this act and who engages in the practice of professional counseling only under the direction of a licensed clinical professional counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.

~~(h)~~(g) “*Practice of professional counseling*” means assisting an individual or group for a fee, monetary or otherwise, through counseling, assessment, consultation and referral and includes the diagnosis and treatment of mental disorders as authorized under the professional counselors licensure act.

~~(e)~~(h) “*Professional counseling*” means to assist an individual or group to develop understanding of personal strengths and weaknesses, to re-structure concepts and feelings, to define goals and to plan actions as these are related to personal, social, educational and career development and adjustment.

~~(d)~~ “*Assessment*” means selecting, administering, scoring and interpreting instruments designed to describe an individual’s aptitudes, abilities, achievements, interests and personal characteristics.

~~(e)~~ “*Consultation*” means the application of principles, methods and techniques of the practice of counseling to assist in solving current or potential problems of individuals or groups in relation to a third party.

~~(f)~~(i) “*Referral*” means the evaluation of information to identify problems and to determine the advisability of referral to other practitioners.

~~(g)~~ “*Licensed professional counselor*” means a person who is licensed under this act and who engages in the practice of professional counseling except that on and after January 1, 2002, such person shall engage in the practice of professional counseling only under the direction of a licensed clinical professional counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental

health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.

~~(h) “Licensed clinical professional counselor” means a person who engages in the independent practice of professional counseling including the diagnosis and treatment of 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 and who is licensed under this act.~~

Sec. 5. K.S.A. 2022 Supp. 65-5804a is hereby amended to read as follows: 65-5804a. (a) Applications for licensure as a professional counselor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed ~~set~~ under K.S.A. 65-5808, and amendments thereto.

(b) Each applicant for licensure as a professional counselor shall furnish evidence satisfactory to the board that the applicant:

- (1) Is at least 21 years of age;
- (2) has completed 60 graduate semester hours including a graduate degree in counseling or a related field from a college or university approved by the board and that includes 45 graduate semester hours of counseling coursework distributed among each of the following areas:
 - (A) Counseling theory and practice;
 - (B) the helping relationship;
 - (C) group dynamics, processing and counseling;
 - (D) human growth and development;
 - (E) lifestyle and career development;
 - (F) appraisal of individuals;
 - (G) social and cultural foundations;
 - (H) research and evaluation;
 - (I) professional orientation; and
 - (J) supervised practicum and internship;
- (3) has passed an examination required by the board; and
- (4) has satisfied the board that the applicant is a person who merits the public trust.

(c) (1) Applications for licensure as a clinical professional 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:

- (A) Is licensed by the board as a licensed professional counselor or meets all requirements for licensure as a licensed professional counselor;
- (B) has completed 15 credit hours, as part of or in addition to the requirements under subsection (b), 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 with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 280 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) 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 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, except that the board may waive $\frac{1}{2}$ of the hours required by this subparagraph for an individual who has a doctoral degree in professional 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;

(E) for persons who earned a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a professional counselor 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 permit to practice as a licensed professional counselor 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 professional counselor 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—~~fixed set~~ under K.S.A. 65-5808, and amendments thereto.

(2) A person who was licensed or registered as a professional counselor in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of professional counseling as a registered or licensed professional counselor within five years prior to the

effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees pursuant to K.S.A. 65-5808, and amendments thereto, and completion of applicable continuing education requirements, shall be licensed as a licensed clinical professional counselor by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical professional counselor may engage in the independent practice of professional counseling 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 clinical professional counselor 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 clinical professional counselor may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(4) A licensed professional counselor may 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 only under the direction of a licensed clinical professional counselor, licensed psychologist, person licensed to practice medicine and surgery or person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a licensed professional counselor 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 professional counselor may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria that a college or university shall satisfy in order to be approved by the board. The board may send a questionnaire developed by the board to any college or university for which the board does not have sufficient information to determine whether the school meets the requirements for approval and 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 college or university to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about colleges and universities. In entering such contracts, the authority to approve college and universities shall remain solely with the board.

(e) A person who is waiting to take the examination required by the board may apply to the board for a temporary *professional counselor* license to practice as a licensed professional counselor by:

(1) Paying an application fee of not more than \$150; and

(2) meeting the application requirements as stated in K.S.A. 65-5804a(b)(1), (2) and (4), and amendments thereto.

(f) (1) A temporary *professional counselor* license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee set by the board for issuance of a temporary license.

(2) Absent extenuating circumstances approved by the board, a temporary *professional counselor* license issued by the board shall expire upon the date the board issues or denies a license to practice professional counseling or ~~12~~ 24 months after the date of issuance of the temporary license. No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provisions in no way limit the number of times an applicant may take the examination.

(g) A person practicing professional counseling with a temporary *professional counselor* license may not use the title "licensed professional counselor" or the initials "LPC" independently. The word "licensed" may be used only when followed by the words "by temporary license," such as licensed professional counselor by temporary license, or professional counselor licensed by temporary license.

(h) No person may practice professional counseling under a temporary *professional counselor* license except under the supervision of a person licensed by the behavioral sciences regulatory board at the independent level.

(i) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the temporary license provided under this section at the time of issuance of such temporary license.

(j) (1) *An individual may apply to the board for a community-based professional counselor license to practice professional counseling in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.*

(2) *A community-based professional counselor license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based professional counselor license.*

(3) (A) *Absent extenuating circumstances approved by the board, a community-based professional counselor license issued by the board shall expire:*

(i) *Upon the date the board issues or denies a license to practice professional counseling; or*

(ii) *24 months after the date of issuance of the community-based professional counselor license.*

(B) *No community-based professional counselor license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.*

(4) *A person practicing professional counseling with a community-based professional counselor license may use the title "licensed professional counselor" or the initials "LPC" independently.*

(5) *No person may practice professional counseling under a community-based professional counselor license except under the supervision of a person licensed by the board to practice at the independent level.*

(6) *The board shall not issue a community-based professional counselor license or temporary professional counselor license to an individual who has previously been issued a community-based professional counselor license or temporary professional counselor license.*

Sec. 6. K.S.A. 65-5806 is hereby amended to read as follows: 65-5806.

(a) An applicant who meets the requirements for licensure pursuant to ~~this~~ the professional counselors licensure act, has paid the license fee pro-

vided for by K.S.A. 65-5808, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-5808, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. *Prior to July 1, 2025, as part of such continuing education, a licensee shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.*

(c) (1) *A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:*

(A) *The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and*

(B) *a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.*

(2) *The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.*

(3) *A licensee who receives additional time to complete continuing education hours under this subsection shall:*

(A) *Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;*

(B) *notify the board upon completing the remaining continuing education hours; and*

(C) *be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.*

(4) *Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.*

(5) *A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.*

(d) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, ~~which~~ and such application shall be accompanied by the fee provided for by K.S.A. 65-5808, and amendments thereto.

(e) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The renewal fee established under K.S.A. 65-5808, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee as provided by K.S.A. 65-5808, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

~~(d)~~(f) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 7. K.S.A. 2022 Supp. 65-5807 is hereby amended to read as follows: 65-5807. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice professional counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice professional counseling in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice professional counseling *with a similar scope of practice* for at least 48 of the last 54 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) at least a master's degree in counseling or a related field from a regionally accredited university or college.

(b) Applicants for licensure as a clinical professional counselor shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-5808, and amendments thereto, if required by the board. *Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the license fee as provided by K.S.A. 65-5808, and amendments thereto.*

Sec. 8. K.S.A. 2022 Supp. 65-5808 is hereby amended to read as follows: 65-5808. (a) The board may ~~fix~~ collect the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a professional counselor, not more than \$100;

(2) for an original license as a professional counselor, not more than \$175;

(3) for a temporary license as a professional counselor, not more than \$175;

(4) *for a six-month reinstatement temporary license as a professional counselor, not more than \$50;*

(5) for renewal for licensure as a professional counselor, not more than \$150;

~~(5)~~(6) for application for licensure as a clinical professional counselor, not more than \$175;

~~(6)~~(7) for licensure as a clinical professional counselor, not more than \$175;

~~(7)~~(8) for renewal for licensure as a clinical professional counselor, not more than \$175;

(9) *for a six-month reinstatement temporary license as a clinical professional counselor, not more than \$50;*

~~(8)~~(10) *for a community-based professional counselor license, not more than \$175;*

(11) for late renewal penalty, an amount equal to the fee for renewal of a license;

~~(9)~~(12) for reinstatement of a license, not more than \$175;

~~(10)~~(13) for replacement of a license, not more than \$20;

~~(11)~~(14) for a wallet card license, not more than \$5; and

~~(12)~~(15) for application as a board-approved clinical supervisor, not more than \$50.

(b) Fees paid to the board are not refundable.

Sec. 9. K.S.A. 65-6302 is hereby amended to read as follows: 65-6302. As used in ~~this~~ *the social workers licensure act*, unless the context clearly requires otherwise, ~~the following words and phrases shall have the meaning ascribed to them in this section:~~

(a) “Board” means the behavioral sciences regulatory board created by K.S.A. 74-7501, *and amendments thereto*.

(b) “*Extenuating circumstances*” means *any condition or situation caused by events beyond a person’s control that is sufficiently extreme in nature to result in the:*

(1) *Person’s inability to comply with requirements; or*

(2) *inadvisability of requiring the person to comply with requirements.*

(c) “*Psychotherapy*” means *the use of psychological and social methods within a professional relationship to assist the person or persons to achieve a better psychosocial adaptation to acquire greater human realization of psychosocial potential and adaptation to modify internal and external conditions that affect individuals, groups or communities in respect to behavior, emotions and thinking and in respect to their intra-personal and inter-personal processes. Forms of “psychotherapy” include, but are not limited to, individual psychotherapy, conjoint marital therapy, family therapy and group psychotherapy.*

(d) “*Social work practice*” means the professional activity of helping individuals, groups or communities enhance or restore their capacity for physical, social and economic functioning and the professional application of social work values, principles and techniques in areas such as psychotherapy, social service administration, social planning, social work consultation and social work research to one or more of the following ends: Helping people obtain tangible services; counseling with individuals, families and groups; helping communities or groups provide or improve social and health services; and participating in relevant social action. The practice of social work requires knowledge of human development and behavior; of social, economic and cultural institutions and forces; and of the interaction of all these factors. Social work practice includes the teaching of practicum courses in social work and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 65-6306 and 65-6319, and amendments thereto.

(e) —“Psychotherapy” means the use of psychological and social methods within a professional relationship, to assist the person or persons to achieve a better psychosocial adaptation to acquire greater human realization of psychosocial potential and adaptation; to modify internal and external conditions which affect individuals, groups or communities in respect to behavior, emotions and thinking, in respect to their intra-personal and inter-personal processes. Forms of psychotherapy include but are not restricted to individual psychotherapy, conjoint marital therapy, family therapy and group psychotherapy.

Sec. 10. K.S.A. 2022 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; *and*

(4) *paid an application fee established by the board under K.S.A. 65-6314, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, the license fee established by the board pursuant to K.S.A. 65-5808, and amendments thereto.*

(b) (1) *An applicant for a baccalaureate social work license who received a baccalaureate degree from a social work program in candidacy status from an accrediting body recognized by the board may request a temporary candidacy baccalaureate social work license upon:*

(A) *Demonstrating receipt of a baccalaureate degree from a college or university, including completion of a social work program in candidacy from an accrediting body recognized by the board;*

(B) *passing an examination approved by the board for the purpose of such temporary candidacy licensure;*

(C) *submitting a completed, signed temporary candidacy baccalaureate social work license application on a form and in a manner provided by the board;*

(D) *satisfying the board that the applicant is a person who merits the public trust; and*

(E) *paying the temporary candidacy baccalaureate social worker fee as established under K.S.A. 65-6314, and amendments thereto, upon notification from the board that all eligibility requirements have been satisfied.*

(2) *A temporary candidacy baccalaureate social work license shall expire on the last day of the 24th month after the temporary candidacy baccalaureate social work license’s effective date. Such license is nonre-*

newable, but, upon request by the license holder using a form approved by the board and paying the appropriate fee, the license shall be extended upon a showing that the social work program remains in candidacy status with the accrediting body recognized by the board. In all professional use of the social worker's name, an individual with a temporary candidacy baccalaureate social work license shall represent themselves as a temporary candidacy baccalaureate social worker. An individual with such license may not use the credentials "LBSW." The word "licensed" may be used only when followed by the words "by temporary candidacy license." An individual issued a temporary candidacy baccalaureate social work license shall practice under supervision and shall not be required to complete continuing education. If the accrediting body recognized by the board grants accreditation to the program in candidacy status, the holder of the temporary candidacy baccalaureate social work license shall receive a permanent license upon payment of the appropriate fee. If the accrediting body recognized by the board does not grant accreditation to the program in candidacy status, the board shall immediately revoke the temporary license and notify the licensee of the revocation of such license.

(c) 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; *and*

(4) *paid an application fee established by the board under K.S.A. 65-6314, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-5808, and amendments thereto.*

(d) (1) An applicant for a master social work license who received a master's degree from a social work program in candidacy status from an accrediting body recognized by the board may request a temporary candidacy master social work license upon:

(A) *Demonstrating receipt of a master's degree from a college or university, including completion of a social work program in candidacy from an accrediting body recognized by the board;*

(B) *passing an examination approved by the board for the purpose of such temporary candidacy licensure;*

(C) *submitting a completed, signed temporary candidacy master social work license application on a form and in a manner provided by the board;*

(D) *satisfying the board that the applicant is a person who merits the public trust; and*

(E) *paying the temporary candidacy master social worker fee as established under K.S.A. 65-6314, and amendments thereto, upon notification from the board that all eligibility requirements have been satisfied.*

(2) *A temporary candidacy master social work license shall expire on the last day of the 24th month after the temporary candidacy master social work license's effective date. Such license is nonrenewable, but, upon request by the license holder using a form approved by the board and paying the appropriate fee, the license shall be extended upon a showing that the social work program remains in candidacy status with the accrediting body recognized by the board. In all professional use of the social worker's name, an individual with a temporary candidacy master social work license shall represent themselves as a temporary candidacy master social worker. An individual with such license shall not use the credentials "LMSW." The word "licensed" may be used only when followed by the words "by temporary candidacy license." An individual issued a temporary candidacy master social work license shall practice under supervision and shall not be required to complete continuing education. If the accrediting body recognized by the board grants accreditation to the program in candidacy status, the holder of the temporary candidacy master social work license shall receive a permanent license upon payment of the appropriate fee. If the accrediting body recognized by the board does not grant accreditation to the program in candidacy status, the board shall immediately revoke the temporary license and notify the licensee of the revocation of such license.*

~~(e)~~(e) *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; and*

(5) *upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-6314, and amendments thereto.*

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

- (A) Has met the requirements of subsection ~~(e)~~ (e);
- (B) has completed ~~15~~ 3 credit hours as part of or in addition to the requirements under subsection ~~(e)~~ (e) 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, *but not limited to*, psychotherapy and assessment, integrating diagnosis or *diagnostic impressions* 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 ~~(e)~~ (e) 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, *including, but not limited to*, conducting psychotherapy and assessments with individuals, couples, families or groups *integrating diagnosis or diagnostic impressions and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual* 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)~~(g) The board shall adopt rules and regulations establishing the criteria 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)~~(h) (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.

(i) (1) *An individual may apply to the board for a community-based social work license to practice social work in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.*

(2) *A community-based social work license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based social work license.*

(3) (A) *Absent extenuating circumstances approved by the board, a community-based social work license issued by the board shall expire:*

(i) *Upon the date the board issues or denies a license to practice social work; or*

(ii) *24 months after the date of issuance of the community-based social work license.*

(B) *No community-based social work license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.*

(4) *A person practicing social work with a community-based social work license may use the title "licensed baccalaureate social worker" or "licensed master social worker" or the initials "LBSW" or "LMSW" independently.*

(5) *No person may practice social work under a community-based social work license except under the supervision of a person licensed by the board to practice at the independent level.*

(6) *The board shall not issue a community-based social work license or temporary social work license to an individual who has previously been issued a community-based social work license or temporary social work license.*

Sec. 11. K.S.A. 2022 Supp. 65-6309 is hereby amended to read as follows: 65-6309. (a) An applicant shall be exempted from the requirement

for any examination provided for herein, if the applicant has taken and passed an examination similar to that for which exemption is sought, as determined by the board.

(b) Upon application, the board shall issue ~~a temporary license~~ *bachelor's social work license or a temporary master's social work license* to persons who have submitted documentation and met all qualifications for licensure under provisions of this act, except passage of the required examination, and who have paid the required fee.

(c) Absent extenuating circumstances approved by the board, a temporary *bachelor's social work license or a temporary master's social work license* issued by the board shall expire upon the date the board issues or denies a license to practice social work or ~~12~~ 24 months after the date of issuance of the temporary license. No temporary *bachelor's social work license or temporary master's social work license* will be renewed or issued again on any subsequent applications for the same license level. The preceding provisions in no way limit the number of times an applicant may take the examination.

(d) No person ~~may~~ *shall* work under a temporary *bachelor's social work license or a temporary master's social work license* except under the supervision of a licensed social worker.

(e) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

(f) Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

(g) A person practicing social work with a temporary license may not use the title "licensed baccalaureate social worker" or "licensed master social worker" or use the initials "LBSW" or "LMSW," independently. The word "licensed" may be used only when followed by the words "by temporary license."

Sec. 12. K.S.A. 65-6313 is hereby amended to read as follows: 65-6313. (a) All licenses issued shall be effective upon the date issued and shall expire at the end of 24 months from the date of issuance.

(b) (1) Except as otherwise provided in K.S.A. 65-6311, and amendments thereto, a license may be renewed by the payment of the renewal fee set forth in K.S.A. 65-6314, and amendments thereto, and the execution and submission of a signed statement, on a form to be provided by the board, attesting that the applicant's license has been neither revoked

nor currently suspended and that applicant has met the requirements for continuing education established by the board including not less than three continuing education hours of professional ethics.

(2) *Prior to July 1, 2025, an applicant for renewal of a license as a master social worker or a specialist clinical social worker, as part of such continuing education, shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders. On and after July 1, 2025, such applicant shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders.*

(3) An applicant for first time licensure renewal as a baccalaureate social worker, master social worker or specialist clinical social worker, as part of such continuing education, shall complete not less than six hours of social worker safety awareness training. If the applicant for first time licensure renewal has already taken such training, as part of a previous level of social work licensure renewal, then the applicant is not required to complete an additional six hours of social worker safety training.

(c) The application for renewal shall be made on or before the date of the expiration of the license or on or before the date of the termination of the period of suspension.

~~(d) If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon payment of the required renewal fee established under K.S.A. 65-6314, and amendments thereto, plus a penalty equal to the renewal fee, and proof satisfactory to the board of the completion of 40 hours of continuing education within two years prior to application for reinstatement. Upon receipt of such payment and proof, the board shall reinstate the license. A license shall be reinstated under this subsection, upon receipt of such payment and proof, at any time after the expiration of such license.~~ (1) *A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:*

(A) *The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and*

(B) *a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.*

(2) *The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.*

(3) *A licensee who receives additional time to complete continuing education hours under this subsection shall:*

(A) *Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;*

(B) *notify the board upon completing the remaining continuing education hours; and*

(C) *be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.*

(4) *Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.*

(5) *A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.*

(e) (1) *A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:*

(A) *The renewal fee established under K.S.A. 65-6314, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and*

(B) *evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.*

(2) *A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee established under K.S.A. 65-6314, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.*

~~(e)~~(f) *In case of a lost or destroyed license, and upon satisfactory proof of the loss or destruction thereof, the board may issue a duplicate license and shall charge a fee as set forth in K.S.A. 65-6314, and amendments thereto, for such duplicate license.*

~~(f)~~(g) *Within 30 days after any change of permanent address, a licensee shall notify the board of such change.*

Sec. 13. K.S.A. 65-6314 is hereby amended to read as follows: 65-6314. (a) The following fees may be established by the board in accordance with the following limitations, and any such fees shall be established by rules and regulations adopted by the board:

(1) Renewal or reinstatement fee for a license as a social work associate shall be not more than \$150.

(2) Application, new license, reinstatement or renewal fee for a license as a baccalaureate social worker shall be not more than \$150.

(3) Application, new license, reinstatement or renewal fee for a license as master social worker shall be not more than \$150.

(4) Application, new license, reinstatement or renewal fee for a license in a social work specialty shall be not more than \$150.

(5) Replacement fee for reissuance of a license certificate due to loss or name change shall be not more than \$20.

(6) Replacement fee for reissuance of a wallet card shall be not more than \$5.

(7) Temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$50.

(8) *Temporary candidacy license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$75.*

(9) *Six-month reinstatement temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$50.*

(10) *Community-based license fee for a baccalaureate social worker, master social worker or social work specialty shall be not more than \$175.*

(11) Application fee for approval as board-approved continuing education sponsors shall be as follows:

(A) Initial application fee for one year provisionally approved providers shall be not more than \$125;

(B) three-year renewal fees for approved providers shall be not more than \$350; and

(C) application fees for single program providers shall be not more than \$50 for each separately offered continuing education activity for which prior approval is sought.

(b) Fees paid to the board are not refundable.

Sec. 14. K.S.A. 2022 Supp. 65-6322 is hereby amended to read as follows: 65-6322. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice social work in another jurisdiction, if the board determines that:

(1) The standards for registration, certification or licensure to practice social work at the baccalaureate level in another jurisdiction are substantially the equivalent of the requirements in the social workers licensure act and rules and regulations of the board for licensure as a baccalaureate social worker; or

(2) the applicant demonstrates compliance on forms set by the board, with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice social work at

the baccalaureate level *with a similar scope of practice* for at least ~~48~~ of the last ~~54~~ 12 months immediately preceding the application, ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of a baccalaureate degree in social work from a regionally accredited university.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice social work in another jurisdiction, if the board determines that:

(1) The standards for registration, certification or licensure to practice social work at the master's level in another jurisdiction are substantially the equivalent of the requirements in the social workers licensure act and rules and regulations of the board for licensure as a master social worker; or

(2) the applicant demonstrates compliance on forms set by the board, with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice social work at the master level *with a similar scope of practice* for at least ~~48~~ of the last ~~54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of a master's degree in social work from a regionally accredited university.

(c) Applicants for licensure as a specialist clinical social worker shall demonstrate:

(1) That the applicant meets the requirements of subsection (b);

(2) that the applicant is currently licensed to practice social work at the clinical level in another state; and

(3) competence to diagnose and treat mental disorders by meeting at least two of the following areas acceptable to the board:

(A) Passing a national clinical examination approved by the board;

(B) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery, stating that the applicant is competent to diagnose and treat mental disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto, if required by the board. *Upon notification from the board that*

all eligibility requirements have been satisfied, the applicant shall submit the license fee as provided in K.S.A. 65-6411, and amendments thereto.

Sec. 15. K.S.A. 65-6402 is hereby amended to read as follows: 65-6402. As used in the marriage and family therapists licensure act:

(a) “Board” means the behavioral sciences regulatory board created under K.S.A. 74-7501 and amendments thereto.

~~(b) “Marriage and family therapy” means the assessment and treatment of cognitive, affective or behavioral problems within the context of marital and family systems and includes the diagnosis and treatment of mental disorders as authorized under the marriage and family therapists licensure act.~~

~~(c) “Licensed marriage and family therapist” means a person who engages in the practice of marriage and family therapy and who is licensed under this act except that on and after January 1, 2002, such person shall engage in the practice of marriage and family therapy only under the direction of a licensed clinical marriage and family therapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.~~ “*Extenuating circumstances*” means any condition or situation caused by events beyond an individual’s control that is sufficiently extreme in nature to result in the:

(1) *Individual’s inability to comply with requirements; or*

(2) *inadvisability of requiring the individual to comply with requirements.*

~~(d)~~(c) “Licensed clinical marriage and family therapist” means a person who engages in the independent practice of marriage and family therapy including the diagnosis and treatment of 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 and is licensed under this act.

(d) “*Licensed marriage and family therapist*” means a person who engages in the practice of marriage and family therapy, is licensed under this act and engages in the practice of marriage and family therapy only under the direction of a licensed clinical marriage and family therapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.

(e) “*Marriage and family therapy*” means the assessment and treatment of cognitive, affective or behavioral problems within the context of marital and family systems and includes the diagnosis and treatment of mental disorders as authorized under the marriage and family therapists licensure act.

Sec. 16. K.S.A. 2022 Supp. 65-6404 is hereby amended to read as follows: 65-6404. (a) An applicant for licensure as a marriage and family therapist shall furnish evidence that the applicant has:

- (1) Attained 21 years of age;
- (2) (A) completed a master's or doctoral degree from a marriage and family therapy program, in an educational institution with standards approved by the board; (B) has completed a master's or doctoral degree from an educational institution in a related field for which the course work is considered by the board to be equivalent to that provided in subparagraph (A) and consists of a minimum of nine semester hours in human development, nine semester hours in theories of marriage and family functioning, nine semester hours of marital and family assessment and therapy, three semester hours in professional studies and three semester hours in research *and has completed an academically supervised practicum in the master's degree program with at least 300 hours of direct client contact or a combined 300 hours of direct client contact and additional postgraduate supervised experience*; or (C) completed a master's or doctoral degree from an educational institution in a related field with additional work from an educational program in marriage and family therapy approved by the board and such degree program and additional work includes the course work requirements provided in subparagraph (B);
- (3) passed an examination approved by the board;
- (4) satisfied the board that the applicant is a person who merits the public trust; and
- (5) paid the application fee established by the board under K.S.A. 65-6411, and amendments thereto.

(b) (1) Applications for licensure as a clinical marriage and family therapist 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:

(A) Is licensed by the board as a licensed marriage and family therapist or meets all requirements for licensure as a marriage and family therapist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (a) 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 with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric

association's diagnostic and statistical manual, with not less than ~~350~~ 300 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) 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 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, except that the board may waive $\frac{1}{2}$ of the hours required by this subparagraph for an individual who has a doctor's degree in marriage and family therapy or a related field acceptable to the board and who completes the required $\frac{1}{2}$ of the hours in not less than one year of supervised professional experience;

(E) for persons who earned a degree under subsection (a) 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 marriage and family therapist 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 permit to practice as a licensed marriage and family therapist 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 marriage and family therapist 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 ~~fixed set~~ under K.S.A. 65-6411, and amendments thereto.

(2) A person who was licensed or registered as a marriage and family therapist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of marriage and family therapy as a registered or licensed marriage and family therapist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical marriage and family therapist by providing demonstration

of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical marriage and family therapist may engage in the independent practice of marriage and family therapy 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 clinical marriage and family therapist 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 clinical marriage and family therapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(4) On and after January 1, 2002, a licensed marriage and family therapist may 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 only under the direction of a licensed clinical marriage and family therapist, licensed psychologist, person licensed to practice medicine and surgery or person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a licensed marriage and family therapist 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 marriage and family therapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(c) (1) *An individual may apply to the board for a community-based marriage and family therapist license to practice marriage and family therapy in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.*

(2) *A community-based marriage and family therapist license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based marriage and family therapist license.*

(3) (A) *Absent extenuating circumstances approved by the board, a community-based marriage and family therapist license issued by the board shall expire:*

(i) *Upon the date the board issues or denies a license to practice marriage and family therapy; or*

(ii) *24 months after the date of issuance of the community-based marriage and family therapist license.*

(B) *No community-based marriage and family therapist license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.*

(4) *A person practicing marriage and family therapy with a community-based marriage and family therapist license may use the title “licensed marriage and family therapist” or the initials “LMFT” independently.*

(5) *No person may practice marriage and family therapy under a community-based marriage and family therapist license except under the supervision of a person licensed by the board to practice at the independent level.*

(6) *The board shall not issue a community-based marriage and family therapist license or temporary marriage and family therapist license to an individual who has previously been issued a community-based marriage and family therapist license or temporary marriage and family therapist license.*

Sec. 17. K.S.A. 2022 Supp. 65-6405 is hereby amended to read as follows: 65-6405. (a) A person who is waiting to take the examination required by the board may apply to the board for a temporary *marriage and family therapy* license to practice as a licensed marriage and family therapist by:

(1) ~~Paying an application~~ *a temporary license* fee as established by the board under K.S.A. 65-6411, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6404(a)(1), (a)(2) ~~and~~, (a)(4) and (a)(5), and amendments thereto.

(b) *A person who is waiting to take the license examination required by the board, and who has not completed a practicum including 300 hours of direct client contact but has been approved by the board to complete other postgraduate experience totaling 300 hours, may apply to the board for a temporary marriage and family therapy license to practice as a licensed marriage and family therapist by:*

(1) *Paying a temporary license fee established by the board under K.S.A. 65-6411, and amendments thereto; and*

(2) *meeting the application requirements as stated in K.S.A. 65-6404(a)(1), (a)(2), (a)(4) and (a)(5), and amendments thereto, and, except for the requirement to complete a practicum or other postgraduate experience, the requirements of K.S.A. 65-6404(a)(2), and amendments thereto.*

(c) (1) A temporary *marriage and family therapy* license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee as established by the board under K.S.A. 65-6411, and amendments thereto.

(2) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies the person a license to practice marriage and family therapy or ~~12~~ 24 months after the date of issuance of the temporary license.

(3) No temporary license shall be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(c) A person practicing marriage and family therapy with a temporary *marriage and family therapy* license may not use the title “licensed marriage and family therapist” or the initials “LMFT” independently. The word “licensed” may be used only when followed by the words “by temporary license.”

(d) No person may practice marriage and family therapy under a temporary *marriage and family therapy* license except under the supervision of a person licensed by the behavioral sciences regulatory board at the independent level.

(e) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 18. K.S.A. 2022 Supp. 65-6406 is hereby amended to read as follows: 65-6406. (a) The board may issue a license to an individual who is

currently registered, certified or licensed to practice marriage and family therapy in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice marriage and family therapy in the other jurisdiction are substantially the equivalent of the requirements of the marriage and family therapists licensure act and rules and regulations of the board; *or*

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice marriage and family therapy *with a similar scope of practice* for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree in marriage and family therapy or a related field as approved by the board from a regionally accredited university.

(b) Applicants for licensure as a clinical marriage and family therapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto, if required by the board. *Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall pay the license fee as provided in K.S.A. 65-6411, and amendments thereto.*

Sec. 19. K.S.A. 65-6407 is hereby amended to read as follows: 65-6407. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6411, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be

renewed upon application and payment of the fee provided for by K.S.A. 65-6411, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. *Prior to July 1, 2025*, as part of such continuing education, the applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. *On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.*

(c) (1) *A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:*

(A) *The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and*

(B) *a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.*

(2) *The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.*

(3) *A licensee who receives additional time to complete continuing education hours under this subsection shall:*

(A) *Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;*

(B) *notify the board upon completing the remaining continuing education hours; and*

(C) *be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.*

(4) *Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.*

(5) *A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.*

(d) *A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6411, and amendments thereto.*

(e) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The renewal fee established under K.S.A. 65-6411, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee established under K.S.A. 65-6411, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

~~(d)~~(f) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 20. K.S.A. 2022 Supp. 65-6411 is hereby amended to read as follows: 65-6411. (a) The board may ~~fix~~ collect the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a marriage and family therapist, not to exceed \$150;

(2) for temporary licensure as a marriage and family therapist, not to exceed \$175;

(3) for original licensure as a marriage and family therapist, not to exceed \$175;

(4) for renewal for licensure as a marriage and family therapist, not to exceed \$175;

(5) for a six-month reinstatement temporary license as a marriage and family therapist, not to exceed \$50;

(6) for application for licensure as a clinical marriage and family therapist, not to exceed \$175;

~~(6)~~(7) for original licensure as a clinical marriage and family therapist, not to exceed \$175;

~~(7)~~(8) for renewal for licensure as a clinical marriage and family therapist, not to exceed \$175;

(9) for a six-month reinstatement temporary license as a clinical marriage and family therapist, not more than \$50;

~~(8)~~(10) for community-based licensure as a marriage and family therapist, not to exceed \$175;

(11) for reinstatement of a license, not to exceed \$175;

~~(9)~~(12) for replacement of a license, not to exceed \$20;

~~(10)~~(13) for renewal penalty, an amount equal to the renewal of license;

~~(11)~~(14) for a wallet card license, not to exceed \$5; and

~~(12)~~(15) for application for approval as a board-approved clinical supervisor, not to exceed \$50.

(b) Fees paid to the board are not refundable.

Sec. 21. K.S.A. 65-6608 is hereby amended to read as follows: 65-6608. As used in the addiction counselor licensure act:

(a) ~~“Board” means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.~~

(b) “Addiction counseling” means the utilization of special skills to assist persons with addictions, and to assist such persons’ families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.

(b) ~~“Board” means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.~~

(c) “Extenuating circumstances” means any condition or situation caused by events beyond an individual’s control that is sufficiently extreme in nature to result in the:

(1) Individual’s inability to comply with requirements; or

(2) inadvisability of requiring the individual to comply with requirements.

(d) “Licensed addiction counselor” means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and amendments thereto.

~~(d) “Licensed master’s addiction counselor” means a person who engages in the practice of addiction counseling limited to substance use~~

disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

(e) “Licensed clinical addiction counselor” means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association’s diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

(f) *“Licensed master’s addiction counselor” means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under the addiction counselor licensure act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.*

Sec. 22. K.S.A. 2022 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;
 - (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, *and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established 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 set~~ under K.S.A. 65-6618, and amendments thereto, *and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee as provided by 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 set~~ under K.S.A. 65-6618, and amendments thereto, *and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-6618, and amendments thereto.*

Sec. 23. K.S.A. 2022 Supp. 65-6611 is hereby amended to read as follows: 65-6611. (a) A person who is waiting to take the examination for licensure as an addiction counselor may apply to the board for a temporary *addiction counselor* license to practice as a licensed addiction counselor by:

(1) Paying a fee for a temporary license ~~fixed set~~ under K.S.A. 65-6618, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6610(a)(1), (a)(2), (a)(4) and (a)(5), and amendments thereto.

(b) A person who is waiting to take the examination for licensure as a master's addiction counselor may apply to the board for a temporary *master's addiction counselor* license to practice as a licensed master's addiction counselor by:

(1) Paying a fee for a temporary license ~~fixed set~~ under K.S.A. 65-6618, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6610(b)(1)(A), (b)(1)(B), (b)(1)(D) and (b)(1)(E), and amendments thereto.

(c) (1) A temporary *addiction counselor* license or *temporary master's addiction counselor* license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee ~~set by the board for issuance of new licenses.~~

(2) Absent extenuating circumstances approved by the board, a temporary *addiction counselor* license or a *temporary master's addiction counselor* license issued by the board shall expire upon the date the board issues or denies the person a license to practice addiction counseling or ~~12~~ 24 months after the date of issuance of the temporary *addiction counselor* license or *temporary master's addiction counselor* license.

(3) No temporary *addiction counselor* license or *temporary master's addiction counselor* license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(d) A person practicing addiction counseling with a temporary *addiction counselor* license or a *temporary master's addiction counselor* license may not use the title "licensed addiction counselor" or "licensed master's addiction counselor" or use the initials "LAC" or "LMAC" independently. The word "licensed" may be used only when followed by the words "by temporary license."

(e) No person may practice addiction counseling under a temporary *addiction counselor* license or a *temporary master's addiction counselor* license except in a licensed or certified alcohol and other drug abuse program, under the direction of a person licensed by the behavioral sciences regulatory board at the clinical level or a person licensed to practice medicine and surgery.

(f) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such license.

(g) A person may apply to the board for a student temporary *addiction counselor* license to practice as a student temporary *addiction counselor*, on a form and in the manner prescribed by the board, by:

(1) Providing documentation of completing at least 60 credit hours from an institution of higher education with an emphasis in addiction counseling or a related field, as defined by the board in rules and regulations;

(2) providing a signed attestation indicating the applicant's intention to pursue licensure as a licensed addiction counselor with a plan to com-

plete the education requirements toward a licensed addiction counseling license within 48 months;

(3) providing an education plan, signed by an official of the institution of higher education, including steps to obtain coursework necessary to receive an addiction counselor license;

(4) providing a signed attestation from a prospective employer who intends to offer employment when the applicant receives the student temporary addiction counselor license;

(5) submitting a supervision plan signed by a person who is employed by the prospective employer and who would be providing supervision to the applicant under K.S.A. 65-6611(i), and amendments thereto. Such supervision plan shall include not less than four hours of supervision per month and not fewer than two supervision meetings per month. A maximum of two hours per month may be in group supervision;

(6) satisfying the board that the applicant is a person who merits the public trust;

(7) attaining 20 years of age; and

(8) paying a fee for a student temporary addiction counselor license established under K.S.A. 65-6618, and amendments thereto.

(h) A student temporary addiction counselor license issued by the board shall expire upon the date the board issues the person a permanent license to practice addiction counseling or 24 months after the date of issuance of the student temporary addiction counselor license. A student temporary addiction counselor license may be renewed for one additional 24-month period by demonstrating:

(1) Evidence of the person's compliance with the education plan, including completion of coursework and remaining in good standing with the institution of higher education;

(2) changes or updates to the education plan signed by a representative of the institution of higher education;

(3) evidence of supervision logs signed by the supervisor and student for the periods of supervision; and

(4) paying a fee for renewal of a student temporary addiction counselor license established under K.S.A. 65-6618, and amendments thereto.

(i) No person may practice addiction counseling under a student temporary addiction counselor license except in a licensed or certified alcohol and other drug abuse program, a certified community behavioral health clinic or a community mental health center, supervised by a person licensed by the behavioral sciences regulatory board as an addiction counselor, master's addiction counselor or clinical addiction counselor or other individual licensed by the behavioral sciences regulatory board holding a license as a master's social worker, specialist clinical social worker, professional counselor, clinical professional counselor, marriage and family ther-

apist, clinical marriage and family therapist, master's level psychologist, clinical psychotherapist or psychologist.

Sec. 24. K.S.A. 2022 Supp. 65-6613 is hereby amended to read as follows: 65-6613. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice addiction counseling in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice as an addiction counselor *with a similar scope of practice* for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a baccalaureate degree from a college or university approved by the board.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the master's level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the master's level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the master's level *with a similar scope of practice* for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree from a college or university approved by the board.

(c) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the clinical level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the clinical level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) the applicant demonstrates completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the clinical level *with a similar scope of practice* for at least ~~48~~ *12* months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency;

(C) completion of at least a master's degree from a college or university approved by the board; and

(D) at least two of the following areas acceptable to the board:

(i) Either coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(ii) three years of clinical practice with demonstrated experience supporting diagnosing or treating substance use disorders; or

(iii) 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.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6618, and amendments thereto, if required by the board. *Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the license fee as provided in K.S.A. 65-6618, and amendments thereto.*

Sec. 25. K.S.A. 65-6614 is hereby amended to read as follows: 65-6614. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6618, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-6618, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board, including not less than three

hours in ethics. ~~In addition~~ *Prior to July 1, 2025, as part of such continuing education, the master's addiction counselor applicant and the clinical addiction counselor applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of substance use disorders. On and after July 1, 2025, as part of such continuing education, a master's addiction counselor applicant or clinical addiction counselor applicant shall complete not less than three continuing education hours relating to diagnosis and treatment of substance use disorders.*

(c) (1) *A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:*

(A) *The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and*

(B) *a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.*

(2) *The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.*

(3) *A licensee who receives additional time to complete continuing education hours under this subsection shall:*

(A) *Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;*

(B) *notify the board upon completing the remaining continuing education hours; and*

(C) *be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.*

(4) *Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.*

(5) *A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.*

(d) *A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6618, and amendments thereto.*

(e) (1) *A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:*

(A) *The renewal fee established under K.S.A. 65-6618, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and*

(B) *evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.*

(2) *A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee established under K.S.A. 65-6618, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.*

~~(d)~~(f) *Within 30 days after any change of permanent address, a licensee shall notify the board of such change.*

Sec. 26. K.S.A. 65-6618 is hereby amended to read as follows: 65-6618. (a) The board may ~~fix~~ *collect* the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) *For application for licensure as an addiction counselor, not to exceed \$150;*

(2) *for original licensure as an addiction counselor, not to exceed \$150;*

(3) *for renewal for licensure as an addiction counselor, not to exceed \$150;*

(4) *for a temporary license as an addiction counselor, not to exceed \$100;*

(5) *for a six-month reinstatement temporary license as an addiction counselor, not to exceed \$50;*

(6) *for a student temporary addiction counselor license, not to exceed \$100;*

(7) *for renewal for a student temporary addiction counselor license, not to exceed \$100;*

(8) *for application for licensure as a master's addiction counselor, not to exceed \$150;*

~~(6)~~(9) *for original licensure as a master's addiction counselor, not to exceed \$150;*

~~(7)~~(10) *for renewal for licensure as a master's addiction counselor, not to exceed \$150;*

(11) *for a temporary license as a master's addiction counselor, not to exceed \$100;*

(12) *for a six-month reinstatement temporary license as a master's addiction counselor, not to exceed \$50;*

~~(8)(13)~~ for application for licensure as a clinical addiction counselor, not to exceed \$150;

~~(9)(14)~~ for original licensure as a clinical addiction counselor, not to exceed \$150;

~~(10)(15)~~ for renewal for licensure as a clinical addiction counselor, not to exceed \$150;

(16) *for a six-month reinstatement temporary license as a clinical addiction counselor, not to exceed \$50;*

~~(11)(17)~~ for a temporary permit to practice clinical addiction counseling, not to exceed \$200;

~~(12)(18)~~ for extension of a temporary permit to practice clinical addiction counseling, not to exceed \$200;

~~(13)(19)~~ for reinstatement of a license, not to exceed \$150;

~~(14)(20)~~ for replacement of a license, not to exceed \$20;

~~(15)(21)~~ for late renewal penalty, an amount equal to the fee for renewal; and

~~(16)(22)~~ for a wallet license, not more than \$5.

(b) The board shall require that fees paid for any examination under the addiction counselor licensure act be paid directly to the examination services by the person taking the examination.

(c) Fees paid to the board are not refundable.

Sec. 27. K.S.A. 65-7504 is hereby amended to read as follows: 65-7504. (a) ~~The board may deny, suspend, revoke or refuse renewal of any license issued under this act if the board finds that the applicant or license holder has refused to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for licensure has:~~

(1) Used any controlled substance or alcoholic beverage to an extent that such use impairs such person's ability to perform the work of any profession licensed or regulated by this act.

(2) ~~The person has~~ Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any professional licensed or regulated under this act, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not a sentence is imposed.

(3) Used any fraud, deception or misrepresentation in securing any license issued under this act.

(4) Obtained or attempted to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation.

(5) Committed any act of incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed by the board.

(6) Committed any violation of or assisted or enabled any person to violate any provision of this act or any rule and regulation promulgated thereunder.

(7) Impersonated any person holding a certificate of registration or authority, permit or license or allowed any other person to use such person's certificate of registration or authority, permit, license or diploma from any school.

(8) Been disciplined in any action by another state, territory, federal agency or country which would constitute grounds for a license issued under this act being suspended or revoked.

(9) Been finally adjudged insane or incapacitated by a court of competent jurisdiction.

(10) Assisted or enabled any person to practice or offer to practice any profession licensed or regulated by the board when such person is not eligible to practice such profession as required by law.

(11) Issued any certificate of registration or authority, permit or license based upon a material mistake of fact.

(12) Failed to display a valid certificate or license if so required by this act or any rules and regulations promulgated thereunder.

(13) Violated any professional trust or confidence.

(14) Used any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

(15) Been found ~~guilty of~~ *to have engaged in* unprofessional conduct or professional incompetency as defined by the board by applicable rules and regulations *adopted by the board*.

(16) *Violated any lawful order or directive of the board previously entered by the board.*

~~(b) Any action taken under this section which affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for a hearing conducted in accordance with the provisions of Administrative proceedings and disciplinary actions regarding licensure under the applied behavior analysis licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the applied behavior analysis licensure act shall be in accordance with the Kansas judicial review act.~~

Sec. 28. K.S.A. 65-7505 is hereby amended to read as follows: 65-7505. The board shall ~~promulgate~~ *adopt* rules and regulations necessary

to implement and administer this act. Such rules and regulations shall include, but not be limited to:

(a) The form and content of license applications required and the procedures for filing an application for an initial or renewal license *or reinstatement* in this state;

(b) the establishment of fees for licenses; and ~~the renewal~~ *and reinstatement* thereof; to cover all or any part of the cost of administering the provisions of this act;

(c) the educational and training requirements for licensed behavior analysts and licensed assistant behavior analysts;

(d) the roles, responsibilities and duties of licensed behavior analysts and licensed assistant behavior analysts;

(e) the characteristics of supervision and supervised clinical practicum experience for the licensed behavior analysts and the licensed assistant behavior analysts;

(f) the supervision of licensed behavior analysts and licensed assistant behavior analysts;

(g) the requirements for continuing education for licensed behavior analysts and licensed assistant behavior analysts;

(h) standards of professional competency;

(i) standards of professional conduct; and

(j) such other rules and regulations as the board deems necessary to carry out the provisions of this act.

Sec. 29. K.S.A. 74-5302 is hereby amended to read as follows: 74-5302. ~~For the purpose of this act the following definitions shall apply. As used in the licensure of psychologists act of the state of Kansas:~~

(a) “Board” means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.

(b) “Extenuating circumstances” means any condition or situation caused by events beyond an individual’s control that is sufficiently extreme in nature to result in the:

(1) Individual’s inability to comply with requirements; or

(2) inadvisability of requiring the individual to comply with requirements.

(c) “License” means a license as a psychologist issued by the board.

(d) “Licensed psychologist” means a person licensed by the board under the provisions of the licensure of psychologists act of the state of Kansas.

(e) “Merits the public trust” means that an applicant or licensee possesses the high standard of good moral character and fitness that is required to practice psychology as demonstrated by the following personal qualities:

(1) Good judgment;

- (2) *integrity;*
- (3) *honesty;*
- (4) *fairness;*
- (5) *credibility;*
- (6) *reliability;*
- (7) *respect for others;*
- (8) *respect for the laws of this state and the nation;*
- (9) *self-discipline;*
- (10) *self-evaluation;*
- (11) *initiative; and*
- (12) *commitment to the psychology profession and its values and ethics.*

(f) "Practice of psychology" means the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of behavior adjustment, group relations and behavior modification, by persons trained in psychology. The application of such principles includes, but is not restricted to, counseling and the use of psychological remedial measures with persons, in groups or individually, having adjustment or emotional problems in the areas of work, family, school and personal relationships; measuring and testing personality, intelligence, aptitudes, public opinion, attitudes and skills; the teaching of such subject matter; and the conducting of research on problems relating to human behavior, except that in all cases involving the care of the sick and ill as defined by the laws of this state, the primary responsibility devolves upon those licensed under the Kansas healing arts act. The practice of psychology includes the diagnosis and treatment of 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. If a licensed psychologist cannot make an independent diagnosis of a mental disorder, such psychologist 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 psychologist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(b)(g) "Represents oneself to be a psychologist" means that a person engages in the practice of psychology for a fee, monetary or otherwise, or holds oneself out to the public by any title or description of services incorporating the word "psychologic," "psychological," "psychologist" or "psychology" and under such title or description offers to render or renders services to individuals, corporations or the public for a fee, monetary or otherwise.

(c) ~~“Board” means the behavioral sciences regulatory board created by K.S.A. 74-7501 and amendments thereto.~~

(d) ~~“License” means a license as a psychologist issued by the board.~~

(e) ~~“Licensed psychologist” means a person licensed by the board under the provisions of this act.~~

Sec. 30. K.S.A. 2022 Supp. 74-5310 is hereby amended to read as follows: 74-5310. (a) The board shall issue a license as a psychologist to any person who pays a nonrefundable application fee prescribed by the board, if required by the board, not in excess of \$225 and, if required by the board, a nonrefundable original license fee not in excess of \$150, who satisfies the board as to such person’s training and experience after a thorough review of such person’s credentials and who passes a satisfactory examination in psychology. Any person paying the fee ~~must~~ *shall* also submit evidence verified by oath and satisfactory to the board that such person:

- (1) Is at least 21 years of age;
- (2) ~~is of good moral character~~ *a person who merits the public trust*;
- (3) has received the doctor’s degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and
- (4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board’s approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under subsection (a)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of subsection (a)(3) and 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 educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

(c) (1) *An individual may apply to the board for a community-based psychologist license to practice psychology in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential*

treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based psychologist license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based psychologist license.

(3) (A) Absent extenuating circumstances approved by the board, a community-based psychologist license issued by the board shall expire:

(i) Upon the date the board issues or denies a license to practice psychology; or

(ii) 24 months after the date of issuance of the community-based psychologist license.

(B) No community-based psychologist license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.

(4) A person practicing psychology with a community-based psychologist license may use the title "licensed psychologist" or the initials "LP" independently.

(5) No person may practice psychology under a community-based psychologist license except under the supervision of a person licensed by the board to practice at the independent level.

(6) The board shall adopt rules and regulations to set the fee, if required by the board, for the issuance of a community-based psychologist license in an amount not to exceed \$225.

(7) The board shall not issue a community-based psychologist license or temporary psychologist license to an individual who has previously been issued a community-based psychologist license or temporary psychologist license.

Sec. 31. K.S.A. 2022 Supp. 74-5315 is hereby amended to read as follows: 74-5315. (a) The board may grant a license to any person who, at the time of application, is registered, certified or licensed as a psychologist at the doctoral level in another jurisdiction if the board determines that:

(1) The requirements of such jurisdiction for such certification or licensure are substantially the equivalent of the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure as a psychologist at the doctoral level *with a similar scope of practice* for at least ~~48 of the last~~ 54 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a doctoral degree in psychology from a regionally accredited university or college.

(b) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5310, and amendments thereto, if required by the board. *Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall pay the license fee as provided in K.S.A. 74-5310, and amendments thereto.*

Sec. 32. K.S.A. 2022 Supp. 74-5316 is hereby amended to read as follows: 74-5316. (a) Upon application, the board may issue temporary licenses to persons who have met all qualifications for licensure under the provisions of the licensure of psychologists act of the state of Kansas, except passage of the required examination, pursuant to K.S.A. 74-5310, and amendments thereto, who have paid the required application and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the earlier of the date the board issues or denies a license to practice psychology or two years after the date of issuance of the temporary license. No temporary license shall be renewed or issued again on any subsequent application for licensure under the provisions of the licensure of psychologists act of the state of Kansas. This paragraph shall not limit the number of times that an applicant may take the required examination;

~~(2) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;~~

~~(3) no person may shall work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and~~

~~(4)(3) the fee for such temporary license may be fixed set by the board and shall not exceed \$200, and any such fee shall be established by rules and regulations adopted by the board.~~

(b) Upon application, the board may issue temporary licenses not to exceed two years to persons who have completed all requirements for a doctoral degree approved by the board but have not received such degree conferral or who have met all qualifications for licensure under provisions of such act, except completion of the postdoctoral supervised work experience pursuant to K.S.A. 74-5310(a)(4), and amendments thereto,

who have paid the required application and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) The temporary license shall expire at the end of the two-year period after issuance or if such temporary licensee is denied a license to practice psychology;

(2) the temporary license may be renewed for one additional two-year period;

(3) no temporary license shall be issued again on any subsequent application for licensure under the provisions of the licensure of psychologists act of the state of Kansas. This paragraph shall not limit the number of times that an applicant may take the required examination;

(4) temporary licensees shall be working toward the completion of the postdoctoral supervised work experience prescribed in K.S.A. 74-5310(a)(4), and amendments thereto;

~~(5) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;~~

~~(6) no temporary licensee may shall work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and~~

~~(7)(6) the fee for a renewal of the temporary license may be fixed set by the board and shall not exceed \$200 per issuance, and any such fee shall be established by rules and regulations adopted by the board.~~

~~(c) A person practicing psychology with a temporary license may shall not use the title "licensed psychologist" or the initials "LP," independently. The word "licensed" may be used only when preceded by the word "temporary."~~

~~(d) This section shall be a part of and supplemental to the provisions of article 53 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto.~~

~~(e) As used in this section, "temporary licensee" means any person practicing psychology with a temporary license pursuant to subsection (a) or (b).~~

Sec. 33. K.S.A. 74-5318 is hereby amended to read as follows: 74-5318. (a) An application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. *Prior to July 1, 2025*, as part of such continuing education, a licensed psychologist shall complete not less than six continuing

education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. *On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.*

(b) (1) *A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:*

(A) *The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and*

(B) *a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.*

(2) *The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.*

(3) *A licensee who receives additional time to complete continuing education hours under this subsection shall:*

(A) *Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;*

(B) *notify the board upon completing the remaining continuing education hours; and*

(C) *be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.*

(4) *Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.*

(5) *A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.*

(c) *A licensee shall submit the application to the board with a renewal fee—fixed set by rules and regulations of the board not to exceed \$200. Upon receipt of such application and fee, the board shall issue a renewal license for the period commencing on the date on which the license is issued and expiring on June 30 of the next even-numbered year. Initial licenses shall be for the current biennium of registration.*

~~(e)~~(d) *Applications for renewal of a license shall be made biennially on or before ~~July 1~~ June 30 and, if not so made, an additional fee equal to the renewal fee shall be added to the regular renewal fee.*

~~(d)~~(e) *Any psychologist who has failed to renew a license and continues to represent oneself as a psychologist after ~~July 1~~ June 30 shall be in*

violation of the licensure of psychologists act of the state of Kansas. ~~The board may suspend or revoke such psychologist's license under the provisions of K.S.A. 74-5324, and amendments thereto.~~

(f) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation. Such application shall be in a manner prescribed by the board and accompanied by a reinstatement fee not to exceed \$200 prescribed by the board in rules and regulations.

(g) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The required renewal fee and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by a fee not to exceed \$50 prescribed by the board in rules and regulations. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

~~(e)~~*(h)* Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 34. K.S.A. 74-5361 is hereby amended to read as follows: 74-5361. As used in ~~this~~ *the licensure of master's level psychologists act:*

~~(a) "Practice of psychology" shall have the meaning ascribed thereto in K.S.A. 74-5302 and amendments thereto.~~

~~(b)~~ "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.

(b) "Extenuating circumstances" means any condition or situation caused by events beyond an individual's control that is sufficiently extreme in nature to result in the:

(1) Individual's inability to comply with requirements; or

(2) Inadvisability of requiring the individual to comply with requirements.

(c) *“Licensed clinical psychotherapist” means a person licensed by the board under the licensure of master’s level psychologists act who engages in the independent practice of master’s level psychology, including the diagnosis and treatment of 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.*

(d) *“Licensed master’s level psychologist” means a person licensed by the board under the provisions of this the licensure of master’s level psychologists act.*

~~(d) “Licensed clinical psychotherapist” means a person licensed by the board under this act who engages in the independent practice of master’s level psychology including the diagnosis and treatment of 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.~~

(e) *“Master’s level psychology” means the practice of psychology pursuant to the restrictions set out in K.S.A. 74-5362, and amendments thereto, and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 74-5361 et seq., and amendments thereto.*

(f) *“Practice of psychology” means the same as defined in K.S.A. 74-5302, and amendments thereto.*

Sec. 35. K.S.A. 2022 Supp. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be licensed under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

(b) The board shall license as a licensed master’s level psychologist any applicant for licensure who pays the fee prescribed by the board under K.S.A. 74-5365, and amendments thereto, which shall not be refunded, who has satisfied the board as to such applicant’s training and who complies with the provisions of this subsection. An applicant for licensure also shall submit evidence satisfactory to the board that such applicant:

- (1) Is at least 21 years of age;
- (2) has satisfied the board that the applicant is a person who merits public trust;
- (3) has received at least 60 graduate hours including a master’s degree in psychology based on a program of studies in psychology from an educational institution having a graduate program in psychology consistent with state universities of Kansas; or until July 1, 2003, has received at least a master’s degree in psychology and during such master’s or post-master’s coursework completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philoso-

phy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology; or has passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology;

(4) has completed 750 clock hours of academically supervised practicum in the master's degree program or 1,500 clock hours of postgraduate supervised work experience; and

(5) has passed an examination approved by the board with a minimum score set by the board by rules and regulations.

(c) (1) Applications for licensure as a clinical psychotherapist 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:

(A) Is licensed by the board as a licensed master's level psychologist or meets all requirements for licensure as a master's level psychologist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (b) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of: 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 with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) 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 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 (b) prior to July 1, 2003, in lieu of the education requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a licensed master's level psychologist 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 *master's level psychology* license to practice as a licensed master's level psychologist 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 master's level psychologist in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board with the same minimum passing score as that set by the board for licensed psychologists; and

(H) has paid the application fee; if required by the board *and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee.*

(2) A person who was licensed or registered as a master's level psychologist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of master's level psychology as a registered or licensed master's level psychologist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical psychotherapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical psychotherapist may engage in the independent practice of master's level psychology 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 clinical psychotherapist 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 clinical psychotherapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria that an educational institution shall satisfy in meeting the requirements established under subsection (b)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of subsection (b)(3) and 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 educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

(e) (1) An individual may apply to the board for a community-based master's level psychologist license to practice master's level psychology in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center as defined in KSA 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in KSA 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based master's level psychologist license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based master's level psychologist license.

(3) (A) *Absent extenuating circumstances approved by the board, a community-based master's level psychologist license issued by the board shall expire:*

(i) *Upon the date the board issues or denies a license to practice master's level psychology; or*

(ii) *24 months after the date of issuance of the community-based master's level psychologist license.*

(B) *No community-based master's level psychologist license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.*

(4) *A person practicing master's level psychology with a community-based master's level psychologist license may use the title "licensed master's level psychologist" or the initials "LMLP" independently.*

(5) *No person may practice master's level psychology under a community-based master's level psychologist license except under the supervision of a person licensed to practice psychology or master's level psychology in Kansas.*

(6) *The board shall adopt rules and regulations to set the fee, if required by the board, for the issuance of a community-based master's level psychologist license in an amount not to exceed \$100.*

(7) *The board shall not issue a community-based master's level psychologist license or temporary master's level psychologist license to an individual who has previously been issued a community-based master's level psychologist license or temporary master's level psychologist license.*

Sec. 36. K.S.A. 74-5365 is hereby amended to read as follows: 74-5365. (a) The following fees may be ~~fixed~~ set by the board for licensure under the licensure of master's level psychologists act: For application, issuance of a new license and renewal of a license, an amount not to exceed \$200; for replacement of a license, an amount not to exceed \$20; and for a wallet card license, an amount not to exceed \$5. Any such fees required by the board shall be established by rules and regulations adopted by the board.

(b) Fees paid to the board are not refundable.

(c) The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. *Prior to July 1, 2025, as part of such continuing education, a licensed master's level psychologist and a licensed clinical psychotherapist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less*

than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(d) (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:

(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and

(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.

(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.

(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:

(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;

(B) notify the board upon completing the remaining continuing education hours; and

(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.

(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.

(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.

(e) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 37. K.S.A. 74-5366 is hereby amended to read as follows: 74-5366. (a) All licenses shall be effective upon the date issued and shall expire at the end of 24 months from the date of issuance.

(b) A license may be renewed by the payment of the renewal fee and the execution and submission of a signed statement, on a form provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended and that the applicant has met the requirements for continuing education set forth in this act.

(c)—If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon

payment of the required renewal fee, plus a penalty equal to the renewal fee, and proof satisfactory to the board of compliance with the continuing education requirements. Upon receipt of such payment and proof, the board shall reinstate the license.

~~(d)~~ *A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation. Such application shall be in a manner prescribed by the board and accompanied by a reinstatement fee.*

(d) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) A reinstatement fee, and, for any person whose license has been expired for one year or less, a penalty established by the board in rules and regulations; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by a fee of \$25. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

(e) A duplicate license shall be issued by the board upon receipt of a \$20 fee.

~~(e)~~*(f)* A person registered as a masters level psychologist on December 30, 1996, shall be deemed to be a licensed masters level psychologist under this act. Such person shall not be required to file an original application for licensure under this act, but shall apply to the board for a license in lieu of registration upon payment of the fee set by the board for renewal of license. Any application for registration filed but which has not been granted prior to January 1, 1997, shall be processed as an application for licensure pursuant to this act. For exchange of a license in lieu of registration pursuant to this subsection, a fee not to exceed \$100.

~~(f)~~*(g)* The board shall collect a fee not to exceed \$100 for exchange of a license in lieu of a registration pursuant to subsection ~~(e)~~*(f)*.

Sec. 38. K.S.A. 74-5367 is hereby amended to read as follows: 74-5367. (a) The board may issue a temporary *master's level psychology* li-

cense to practice as a licensed master's level psychologist to any person who pays a *nonrefundable* fee prescribed by the board under this section, ~~which shall not be refunded,~~ and who meets all the requirements for licensure under K.S.A. 74-5361 et seq., and amendments thereto, as a licensed master's level psychologist except the requirement of postgraduate supervised work experience or passing the licensing examination, or both.

(b) Absent extenuating circumstances approved by the board, a temporary *master's level psychology* license issued by the board shall expire upon the date the board issues or denies a license to practice master's level psychology or 24 months after the date of issuance of the temporary *master's level psychology* license. No temporary *master's level psychology* license issued by the board ~~will~~ *shall* be renewed or issued again on any subsequent applications for the same license level. ~~The preceding provision in no way limits~~ *This subsection shall not limit* the number of times an applicant may take the examination.

(c) The board may fix a fee for the application of the temporary *master's level psychology* license. The application fee shall not exceed \$100. Any such fee shall be established by rules and regulations adopted by the board.

(d) A person practicing master's level psychology with a temporary *master's level psychology* license ~~may~~ *shall* not use the title "licensed master's level psychologist" or the initials "LMLP" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed master's level psychologist by temporary license, or master's level psychologist licensed by temporary license.

(e) No person ~~may~~ *shall* work under a temporary *master's level psychology* license except under the supervision of a person licensed to practice psychology or master's level psychology in Kansas.

(f) The application for a temporary *master's level psychology* license may be denied or a temporary *master's level psychology* license ~~which that~~ has been issued may be suspended or revoked on the same grounds as provided for suspension or revocation of a license under K.S.A. 74-5369, and amendments thereto.

(g) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 39. K.S.A. 2022 Supp. 74-5375 is hereby amended to read as follows: 74-5375. (a) The behavioral sciences regulatory board may issue a license to an individual who is currently registered, certified or licensed

to practice psychology at the master's level in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice psychology at the master's level in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates, on forms provided by the board, compliance with the following standards adopted by the board:

(A) Registration, certification or licensure to practice psychology at the master's level *with a similar scope of practice* for at least ~~48~~ *12* months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) at least a master's degree in psychology from a regionally accredited university or college.

(b) Applicants for licensure as a clinical psychotherapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery, stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5365, and amendments thereto, if required by the board. *Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall pay the license fee as provided in K.S.A. 74-5365, and amendments thereto.*

Sec. 40. K.S.A. 74-7501 is hereby amended to read as follows: 74-7501. (a) There is hereby created a behavioral sciences regulatory board consisting of 12 members appointed by the governor. The membership of the board shall be as follows: Two members of the board shall be licensed psychologists; two members of the board shall be licensed to engage in the practice of social work; one member of the board shall be a professional counselor; one member of the board shall be a marriage and family therapist ~~and~~; one member of the board shall be a licensed ~~masters master's~~ level psychologist *or a licensed clinical psychotherapist*; one member

of the board shall be a licensed addiction counselor, a *licensed master's addiction counselor* or a licensed clinical addiction counselor; and four members of the board shall be from and represent the general public. Each member of the board shall be a citizen of the United States and a resident of this state.

(b) The term of office of each member of the board shall be four years. No member of the board shall be appointed for more than two successive terms. Upon the expiration of a member's term of office, the governor shall appoint a qualified successor. Each member shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the board prior to the expiration of a term of office, the governor shall appoint a qualified successor to fill the unexpired term. The governor may remove any member of the board for misconduct, incompetency or neglect of duty.

(c) The board shall organize annually at its first meeting subsequent to June 30 and shall select from its members a chairperson and a ~~vice-chairperson~~ *vice chairperson*. Other meetings shall be held as the board designates. A majority of members appointed to the board shall constitute a quorum for the transaction of business.

(d) The board may appoint an executive director who shall be in the unclassified service of the Kansas civil service act and shall receive an annual salary ~~fixed set~~ by the board, subject to approval by the governor. The board may employ clerical personnel and other assistants, all of whom shall be in the ~~classified~~ *unclassified* service under the Kansas civil service act. The board may make and enter into contracts of employment with such professional personnel as necessary, in the board's judgment, for the performance of its duties and functions and the execution of its powers.

(e) Members of the behavioral sciences regulatory board attending meetings of the board, or attending a subcommittee meeting thereof authorized by the board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 41. K.S.A. 65-1635a, 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-5302, 74-5318, 74-5339, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 are hereby repealed.

Sec. 42. This act shall take effect and be in force from and after its publication in the statute book.

CHAPTER 91

SENATE BILL No. 106

(Amends Chapters 7, 25, 36, 52, 66, 67, 75 and 79)

AN ACT reconciling multiple amendments to certain statutes; amending K.S.A. 8-1103, as amended by section 1 of 2023 House Bill No. 2042, 25-1122, as amended by section 1 of 2023 House Bill No. 2053, 75-7240, as amended by section 15 of 2023 House Bill No. 2019, and 75-7242, as amended by section 16 of 2023 House Bill No. 2019, and K.S.A. 2022 Supp. 21-6614, 25-3009, as amended by section 48 of 2023 Senate Bill No. 221, 65-4101 and 79-3234, as amended by section 72 of 2023 Senate Bill No. 244, and repealing the existing sections; also repealing K.S.A. 8-1103, as amended by section 4 of 2023 House Bill No. 2147, 25-1122, as amended by section 28 of 2023 Senate Bill No. 221, 32-837, as amended by section 35 of 2023 House Bill No. 2332, 32-906, as amended by section 52 of 2023 House Bill No. 2332, 75-1253, as amended by section 127 of 2023 House Bill No. 2332, 75-7240, as amended by section 8 of 2023 House Bill No. 2395, 75-7242, as amended by section 9 of 2023 House Bill No. 2395, and K.S.A. 2022 Supp. 21-6614i, 25-3009, as amended by section 3 of 2023 House Bill No. 2053, 65-4101d and 79-3234, as amended by section 141 of 2023 House Bill No. 2332.

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

Section 1. On and after January 1, 2024, K.S.A. 8-1103, as amended by section 1 of 2023 House Bill No. 2042, is hereby amended to read as follows: 8-1103. (a) (1) Whenever any person providing wrecker or towing service, as defined by K.S.A. 66-1329, and amendments thereto, while lawfully in possession of a vehicle, at the direction of a law enforcement officer, the owner or, if a city ordinance or county resolution authorizes the towing of vehicles by a wrecker or towing service, a self-service storage facility operator as provided by K.S.A. 58-817, and amendments thereto, or as otherwise provided by a city ordinance or county resolution, renders any service to the owner thereof by the recovery, transportation, protection, storage or safekeeping thereof, a first and prior lien on the vehicle is hereby created in favor of such person rendering such service and the lien shall amount to the full amount and value of the service rendered. The lien may be foreclosed in the manner provided in this act.

(2) If the name of the owner of the vehicle is known to the person in possession of such vehicle, then within 15 days, notice shall be given to the owner that the vehicle is being held subject to satisfaction of the lien. Any vehicle remaining in the possession of a person providing wrecker or towing service for a period of 30 days after such wrecker or towing service was provided may be sold to pay the reasonable or agreed charges for such recovery, transportation, protection, storage or safekeeping of such vehicle and personal property therein, the costs of such sale, the costs of notice to the owner of the vehicle and publication after giving the notices required by this act, unless a court order has been issued to hold such vehicle for the purpose of a criminal investigation or for use as evidence at a trial.

(3) If a court orders any vehicle to be held for the purpose of a criminal investigation or for use as evidence at a trial, then such order shall be in writing, and the court shall assess as costs the reasonable or agreed charges for the protection, storage or safekeeping accrued while the vehicle was held pursuant to such written order.

(4) Any personal property within the vehicle need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid, or satisfactory arrangements for payment have been made, except as provided under subsection (c) or for personal medical supplies which shall be released to the owner thereof upon request. The person in possession of such vehicle and personal property shall be responsible only for the reasonable care of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction authorized by this act.

(5) *A person providing wrecker or towing service shall provide a certification of compliance to a purchaser pursuant to section 1 of 2023 House Bill No. 2147, and amendments thereto, upon the sale and transfer of a vehicle authorized by this section.*

(b) At the time of providing wrecker or towing service, any person providing such wrecker or towing service shall give written notice to the driver, if available, of the vehicle being towed that a fee will be charged for storage of such vehicle. Failure to give such written notice shall invalidate any lien established for such storage fee.

(c) A city ordinance or county resolution authorizing the towing of vehicles from private property shall specify in such ordinance or resolution:

(1) The maximum rate such wrecker or towing service may charge for such wrecker or towing service and storage fees;

(2) that an owner of a vehicle towed shall have access to personal property in such vehicle for 48 hours after such vehicle has been towed and such personal property shall be released to the owner; and

(3) that the wrecker or towing service shall report the location of such vehicle to local law enforcement within two hours of such tow.

(d) A person providing towing services shall not tow a vehicle to a location outside of Kansas without the consent of either:

(1) The driver or owner of the motor vehicle;

(2) a motor club of which the driver or owner of the motor vehicle is a member; or

(3) the insurance company processing a claim with respect to the vehicle or an agent of such insurance company.

Sec. 2. K.S.A. 2022 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes

committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(3) *Notwithstanding the provisions of subsection (a)(1), and except as provided in subsections (b), (c), (d), (e) and (f), any person who has completed the requirements of a specialty court program established pursuant to K.S.A. 2022 Supp. 20-173, and amendments thereto, may petition the district court for the expungement of the conviction and related arrest records. The court may waive all or part of the docket fee imposed for filing a petition pursuant to this subsection.*

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, post-release supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, “coercion” means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended

sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2022 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state that is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state that is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state that is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state that is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1603, prior to its repeal, or K.S.A. 8-1602 or 8-1604, and amendments thereto, or required by a law of another state that is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567, and amendments thereto.

(3) Except as provided further, the provisions of this subsection shall apply to all violations committed on or after July 1, 2006. The provisions of subsection (d)(2) shall not apply to violations committed on or after July 1, 2014, but prior to July 1, 2015.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2022 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2022 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2022 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2022 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2022 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2022 Supp. 21-5510, and amendments thereto;

(7) internet trading in child pornography or aggravated internet trading in child pornography, as defined in K.S.A. 2022 Supp. 21-5514, and amendments thereto;

(8) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2022 Supp. 21-5604, and amendments thereto;

(9) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2022 Supp. 21-5601, and amendments thereto;

(10) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2022 Supp. 21-5602, and amendments thereto;

(11) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2022 Supp. 21-5401, and amendments thereto;

(12) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2022 Supp. 21-5402, and amendments thereto;

(13) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2022 Supp. 21-5403, and amendments thereto;

(14) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2022 Supp. 21-5404, and amendments thereto;

(15) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2022 Supp. 21-5405, and amendments thereto;

(16) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal,

or K.S.A. 2022 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(17) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2022 Supp. 21-5505, and amendments thereto;

(18) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(19) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Except as provided in K.S.A. 22-4908, and amendments thereto, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, 2019, through June 30, 2025, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) (A) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner *if the petition is filed under subsection (a)(1) or (a)(2); or*

(B) *no proceeding involving a felony is presently pending or being instituted against the petitioner if the petition is filed under subsection (a)(3);*

(2) the circumstances and behavior of the petitioner warrant the expungement;

(3) the expungement is consistent with the public welfare; and

(4) with respect to petitions seeking expungement of a felony conviction, possession of a firearm by the petitioner is not likely to pose a threat to the safety of the public.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation that shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency that may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the

Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 75-7e01 through 75-7e09, and amendments thereto, and K.S.A. 2022 Supp. 50-6,141, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense that requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction.

Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) A person whose arrest record, conviction or diversion of a crime that resulted in such person being prohibited by state or federal law from possessing a firearm has been expunged under this statute shall be deemed to have had such person's right to keep and bear arms fully restored. This restoration of rights shall include, but not be limited to, the right to use, transport, receive, purchase, transfer and possess firearms. The provisions of this paragraph shall apply to all orders of expungement, including any orders issued prior to July 1, 2021.

(1) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) (A) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 75-

7e01 through 75-7e09, and amendments thereto, and K.S.A. 2022 Supp. 50-6,141, and amendments thereto; or

(B) the attorney general for any other purpose authorized by law, except that an expungement record shall not be the basis for denial of a license to carry a concealed handgun under the personal and family protection act; or

(17) the Kansas bureau of investigation, for the purpose of completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto.

(m) (1) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

(2) Upon the issuance of an order of expungement that resulted in the restoration of a person's right to keep and bear arms, the Kansas bureau of investigation shall report to the federal bureau of investigation that such expunged record be withdrawn from the national instant criminal background check system. The Kansas bureau of investigation shall include such order of expungement in the person's criminal history record for purposes of documenting the restoration of such person's right to keep and bear arms.

Sec. 3. K.S.A. 25-1122, as amended by section 1 of 2023 House Bill No. 2053, is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where ~~the~~ *such* person is a resident, or where ~~the~~ *such* person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, the voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, the voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

(1) The voter is unable or refuses to provide current and valid identification; or

(2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means be-

fore the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches that on file in the county voter registration records, except that verification of the voter's signature shall not be required if a voter has a disability preventing the voter from signing. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide the person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of the person cannot be verified by the county election officer, the county election officer shall provide information to the person regarding the voter rights provisions of subsection (d) and shall provide the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) (1) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(A) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and the Tuesday of the week preceding such primary election;

(B) for the general election occurring on the Tuesday following the first Monday in November in both even-numbered and odd-numbered

years, between 90 days prior to such election and the Tuesday of the week preceding such general election;

(C) for the presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto, between January 1 of the year in which such election is held and 30 days prior to the day of such election;

(D) for question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election;

(E) for question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the Tuesday of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the final date for mailing of advance voting ballots shall be one week before such election; and

(F) for any special election of officers, at such time as is specified by the secretary of state.

(2) The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) (1) Unless an earlier date is designated by the county election officer, applications for advance voting ballots transmitted to the voter in person ~~in the office of the county election officer~~ shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

(2) An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

(3) The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness that has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information that establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which the persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of the applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make the inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by the officer stating the person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in four consecutive general elections ~~held on the Tuesday succeeding the first Monday in November of each even numbered and odd numbered year,~~ the county election officer may mail a notice to such voter. The notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: “Disclosure: This is not a government mailing. It is from a private individual or organization.”

(2) The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

(3) An application for an advance voting ballot shall include an envelope addressed to the appropriate county election office for the mailing of such application. In no case shall the person who mails the application to the voter direct that the completed application be returned to such person.

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

(A) The secretary of state or any election official or county election office; or

(B) the official protection and advocacy for voting access agency for this state as designated pursuant to the federal help America vote act of 2002, public law 107-252, or any other entity required to provide information concerning elections and voting procedures by federal law.

(5) A violation of this subsection is a class C nonperson misdemeanor.

(1) (1) No person shall mail or cause to be mailed an application for an advance voting ballot, unless such person is a resident of this state or is otherwise domiciled in this state.

(2) Any individual may file a complaint in writing with the attorney general alleging a violation of this subsection. Such complaint shall include the name of the person alleged to have violated this subsection and any other information as required by the attorney general. Upon receipt of a complaint, the attorney general shall investigate and may file an action against any person found to have violated this subsection.

(3) Any person who violates the provisions of this subsection is subject to a civil penalty of \$20. Each instance in which a person mails an application for an advance voting ballot in violation of this section shall constitute a separate violation.

(m) *A county election officer shall not mail a ballot to a voter unless such voter has submitted an application for an advance voting ballot, ex-*

cept that a ballot may be mailed to a voter if such voter has permanent advance voting ballot status pursuant to subsection (h) or if the election is conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.

(n) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 4. K.S.A. 2022 Supp. 25-3009, as amended by section 48 of 2023 Senate Bill No. 221, is hereby amended to read as follows: 25-3009. (a) After an election and prior to the meeting of the county board of canvassers to certify the official election results for any election in which the canvassers certify the results, the county election officer shall conduct a manual audit or tally of each vote cast, regardless of the method of voting, in 1% of all precincts, with a minimum of one precinct located within the county. The precinct or precincts shall be randomly selected and the selection shall take place after the election.

(b) (1) The audit shall be performed manually and shall review all paper ballots selected pursuant to subsection (a). The audit shall be performed by a sworn election board consisting of bipartisan trained board members. The county election officer shall determine the members of the sworn election board who will conduct the audit.

(2) The audit shall review contested races as follows:

(A) In presidential election years:

- (i) One federal race;
- (ii) one state legislative race;
- (iii) one county race; and
- (iv) one constitutional amendment question, if any.

(B) In even-numbered, non-presidential election years:

- (i) One federal race;
- (ii) one statewide race;
- (iii) one state legislative race;
- (iv) one county race; and
- (v) one constitutional amendment question, if any.

(C) In even-numbered election years, any federal, statewide or state legislative race that is within 1% of the total number of votes cast tallied on election night, as determined by the secretary of state, shall be audited. The county election officer shall conduct the audit in the manner set forth in subsection (a) in 10% of all county precincts in the specified race, with a minimum of one precinct in the county. The precincts audited pursuant to this subsection shall be in addition to the precincts audited under subparagraphs (2)(A) and (B).

(D) In odd-numbered election years, two local races will be randomly selected, and the selection shall take place after the election.

(E) *Any presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto.*

(c) At least five days prior to the audit, notice of the time and location of the audit shall be provided to the public on the official county website. The audit shall be conducted in a public setting. Any candidate or entity who is authorized to appoint a poll agent may appoint a poll agent for the audit.

(d) The results of the audit shall be compared to the unofficial election night returns and a report shall be submitted to the county election office and to the secretary of state's office prior to the meeting of the county board of canvassers. If a discrepancy is reported between the audit and the unofficial returns and cannot be resolved, the county election officer or the secretary of state may require audits of additional precincts. Once the audit has been completed, the results of the audit shall be used by the county board of canvassers when certifying the official election results.

(e) Upon publication of the notice of the audit pursuant to subsection (c), the signed and certified official abstracts required by K.S.A. 25-3006, and amendments thereto, shall be made available by the county election office for review by any authorized poll agent. Such abstracts shall be from all precincts and shall not be limited to those precincts that are subject to the audit. The abstracts shall be available for review until commencement of the original canvass.

(f) The secretary of state shall adopt rules and regulations governing the conduct and procedure of the audit, including the random selection of the precincts and offices involved in the audit.

Sec. 5. K.S.A. 2022 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act:

(a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner; or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. ~~It~~ "Agent" does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

- (d) “Board” means the state board of pharmacy.
- (e) “Bureau” means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.
- (f) “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.
- (g) (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.
- (h) “Counterfeit substance” means a controlled substance that, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.
- (i) “Cultivate” means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.
- (j) “DEA” means the U.S. department of justice, drug enforcement administration.
- (k) “Deliver” or “delivery” means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(l) “Dispense” means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

(m) “Dispenser” means a practitioner or pharmacist who dispenses, or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto.

(n) “Distribute” means to deliver other than by administering or dispensing a controlled substance.

(o) “Distributor” means a person who distributes.

(p) (1) “Drug” means *substances*:

(A) ~~substances~~ Recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(B) ~~substances~~ intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human or animals;

(C) ~~substances~~ (other than food) intended to affect the structure or any function of the body of human or animals; and

(D) ~~substances~~ intended for use as a component of any article specified in subparagraph (A), (B) or (C).

(2) “Drug” does not include devices or their components, parts or accessories.

(q) “Immediate precursor” means a substance that the board has found to be and by rule and regulation 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.

(r) “Electronic prescription” means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) “Electronic prescription application” means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber’s computers and servers where access and records are controlled by the prescriber.

(t) “Electronic signature” means a confidential personalized digital key, code, number or other method for secure electronic data transmissions that identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person’s approval of the information contained in the transmission.

(u) “Electronic transmission” means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber’s elec-

tronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "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 and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include 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:

(1) 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

(2) 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.

(aa) "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. It 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) drug products approved by the United States food and drug administration as of the effective date of this act;

(4) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

(5) industrial hemp as defined in K.S.A. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(bb) “Medical care facility” shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) “Mid-level practitioner” means a certified nurse-midwife engaging in the independent practice of midwifery under the independent practice of midwifery act, an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

(dd) “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;

(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.

(ee) “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. It 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). It does include its racemic and levorotatory forms.

(ff) “Opium poppy” means the plant of the species *Papaver somniferum* l. except its seeds.

(gg) “Person” means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(hh) “Pharmacist” means any natural person licensed under K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.

(ii) “Pharmacist intern” means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person’s internship; or (3) a graduate of a pharmacy program located outside of the United States that is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) “Pharmacy prescription application” means software that is used to process prescription information, is installed on a pharmacy’s computers and servers, and is controlled by the pharmacy.

(kk) “Poppy straw” means all parts, except the seeds, of the opium poppy, after mowing.

(ll) “Practitioner” means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

(mm) “Prescriber” means a practitioner or a mid-level practitioner.

(nn) “Production” includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(oo) “Readily retrievable” means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

(pp) “Ultimate user” means a person who lawfully possesses a controlled substance for such person’s own use or for the use of a member of such person’s household or for administering to an animal owned by such person or by a member of such person’s household.

Sec. 6. K.S.A. 75-7240, as amended by section 15 of 2023 House Bill No. 2019, is hereby amended to read as follows: 75-7240. (a) The executive branch agency heads shall:

(1) Be solely responsible for security of all data and information technology resources under such agency’s purview, irrespective of the location of the data or resources. Locations of data may include:

- (A) Agency sites;
 - (B) agency real property;
 - (C) infrastructure in state data centers;
 - (D) third-party locations; and
 - (E) in transit between locations;
- (2) ensure that an agency-wide information security program is in place;
- (3) designate an information security officer to administer the agency's information security program that reports directly to executive leadership;
- (4) participate in CISO-sponsored statewide cybersecurity program initiatives and services;
- (5) implement policies and standards to ensure that all the agency's data and information technology resources are maintained in compliance with applicable state and federal laws and rules and regulations;
- (6) implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and information technology resources;
- (7) include all appropriate cybersecurity requirements in the agency's request for proposal specifications for procuring data and information technology systems and services;
- (8) (A) submit a cybersecurity self-assessment report to the CISO by October 16 of each even-numbered year, including an executive summary of the findings, that assesses the extent to which the agency is vulnerable to unauthorized access or harm, including the extent to which the agency's or contractor's electronically stored information is vulnerable to alteration, damage, erasure or inappropriate use;
- (B) ensure that the agency conducts annual internal assessments of its security program. Internal assessment results shall be considered confidential and shall not be subject to discovery by or release to any person or agency, outside of the KISO or CISO, without authorization from the executive branch agency director or head. ~~This provision regarding confidentiality shall expire on July 1, 2023, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023; and~~
- (C) prepare or have prepared a financial summary identifying cybersecurity expenditures addressing the findings of the cybersecurity self-assessment report required in subparagraph (A), excluding information that might put the data or information resources of the agency or its contractors at risk and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means; and
- (9) ensure that if an agency owns, licenses or maintains computerized data that includes personal information, confidential information or infor-

mation, the disclosure of which is regulated by law, such agency shall, in the event of a breach or suspected breach of system security or an unauthorized exposure of that information:

(A) Comply with the notification requirements set out in K.S.A. 2022 Supp. 50-7a01 et seq., and amendments thereto, and applicable federal laws and rules and regulations, to the same extent as a person who conducts business in this state; and

(B) not later than 48 hours after the discovery of the breach, suspected breach or unauthorized exposure, notify: (i) The CISO; and (ii) if the breach, suspected breach or unauthorized exposure involves election data, the secretary of state.

(b) The director or head of each state agency shall:

(1) Participate in annual agency leadership training to ensure understanding of:

(A) The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets;

(B) how cyberattacks and data breaches on the agency's operations and assets may impact the operations and assets of other governmental entities on the state enterprise network;

(C) how cyberattacks and data breaches occur; and

(D) steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems;

(2) ensure that all information technology login credentials are disabled the same day that any employee ends their employment with the state; and

(3) require that all employees with access to information technology receive a minimum of one hour of information technology security training per year.

(c) (1) The CISO, with input from the joint committee on information technology and the joint committee on Kansas security, shall develop a self-assessment report template for use under subsection (a)(8)(A). The most recent version of such template shall be made available to state agencies prior to July 1 of each even-numbered year. The CISO shall aggregate data from the self-assessments received under subsection (a)(8)(A) and provide a summary of such data to the joint committee on information technology and the joint committee on Kansas security.

(2) Self-assessment reports made to the CISO pursuant to subsection (a)(8)(A) shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2028, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

Sec. 7. K.S.A. 75-7242, as amended by section 16 of 2023 House Bill No. 2019, is hereby amended to read as follows: 75-7242. Information collected to effectuate this act shall be considered confidential by all state and local governmental organizations unless all data elements or information that specifically identifies a target, vulnerability or weakness that would place the organization at risk have been redacted, including: (a) System information logs; (b) vulnerability reports; (c) risk assessment reports; (d) system security plans; (e) detailed system design plans; (f) network or system diagrams; and (g) audit reports. ~~The provisions of this section shall expire on July 1, 2023, unless the legislature reviews and re-enacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023.~~

Sec. 8. K.S.A. 2022 Supp. 79-3234, as amended by section 72 of 2023 Senate Bill No. 244, is hereby amended to read as follows: 79-3234. (a) All reports and returns required by this act shall be preserved for three years and thereafter until the director orders them to be destroyed.

(b) Except in accordance with proper judicial order, or as provided in subsection (c) or K.S.A. 46-1106(e), 46-1114 or 79-32,153a, and amendments thereto, it shall be unlawful for the secretary, the director, any deputy, agent, clerk or other officer, employee or former employee of the department of revenue or any other state officer or employee or former state officer or employee to divulge, or to make known in any way, the amount of income or any particulars set forth or disclosed in any report, return, federal return or federal return information required under this act; and it shall be unlawful for the secretary, the director, any deputy, agent, clerk or other officer or employee engaged in the administration of this act to engage in the business or profession of tax accounting or to accept employment, with or without consideration, from any person, firm or corporation for the purpose, directly or indirectly, of preparing tax returns or reports required by the laws of the state of Kansas, by any other state or by the United States government, or to accept any employment for the purpose of advising, preparing material or data, or the auditing of books or records to be used in an effort to defeat or cancel any tax or part thereof that has been assessed by the state of Kansas, any other state or by the United States government.

(c) The secretary or the secretary's designee may:

(1) Publish statistics, so classified as to prevent the identification of particular reports or returns and the items thereof;

(2) allow the inspection of returns by the attorney general or other legal representatives of the state;

(3) provide the post auditor access to all income tax reports or returns in accordance with and subject to the provisions of K.S.A. 46-1106(e) or 46-1114, and amendments thereto;

(4) disclose taxpayer information from income tax returns to persons or entities contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) disclose to the secretary of commerce the following: (A) Specific taxpayer information related to financial information previously submitted by the taxpayer to the secretary of commerce concerning or relevant to any income tax credits, for purposes of verification of such information or evaluating the effectiveness of any tax credit or economic incentive program administered by the secretary of commerce; (B) the amount of payroll withholding taxes an employer is retaining pursuant to K.S.A. 74-50,212, and amendments thereto; (C) information received from businesses completing the form required by K.S.A. 74-50,217, and amendments thereto; and (D) findings related to a compliance audit conducted by the department of revenue upon the request of the secretary of commerce pursuant to K.S.A. 74-50,215, and amendments thereto;

(6) disclose income tax returns to the state gaming agency to be used solely for the purpose of determining qualifications of licensees of and applicants for licensure in tribal gaming. Any information received by the state gaming agency shall be confidential and shall not be disclosed except to the executive director, employees of the state gaming agency and members and employees of the tribal gaming commission;

(7) disclose the taxpayer's name, last known address and residency status to the Kansas department of wildlife, *and parks and tourism* to be used solely in its license fraud investigations;

(8) disclose the name, residence address, employer or Kansas adjusted gross income of a taxpayer who may have a duty of support in a title IV-D case to the secretary of the Kansas department for children and families for use solely in administrative or judicial proceedings to establish, modify or enforce such support obligation in a title IV-D case. In addition to any other limits on use, such use shall be allowed only where subject to a protective order which prohibits disclosure outside of the title IV-D proceeding. As used in this section, "title IV-D case" means a case being administered pursuant to part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., and amendments thereto. Any person receiving any information under the provisions of this subsection shall be subject to the confidentiality provisions of subsection (b) and to the penalty provisions of subsection (e);

(9) permit the commissioner of internal revenue of the United States, or the proper official of any state imposing an income tax, or the authorized representative of either, to inspect the income tax returns made under this act and the secretary of revenue may make available or furnish to the taxing officials of any other state or the commissioner of internal

revenue of the United States or other taxing officials of the federal government, or their authorized representatives, information contained in income tax reports or returns or any audit thereof or the report of any investigation made with respect thereto, filed pursuant to the income tax laws, as the secretary may consider proper, but such information shall not be used for any other purpose than that of the administration of tax laws of such state, the state of Kansas or of the United States;

(10) communicate to the executive director of the Kansas lottery information as to whether a person, partnership or corporation is current in the filing of all applicable tax returns and in the payment of all taxes, interest and penalties to the state of Kansas, excluding items under formal appeal, for the purpose of determining whether such person, partnership or corporation is eligible to be selected as a lottery retailer;

(11) communicate to the executive director of the Kansas racing commission as to whether a person, partnership or corporation has failed to meet any tax obligation to the state of Kansas for the purpose of determining whether such person, partnership or corporation is eligible for a facility owner license or facility manager license pursuant to the Kansas parimutuel racing act;

(12) provide such information to the executive director of the Kansas public employees retirement system for the purpose of determining that certain individuals' reported compensation is in compliance with the Kansas public employees retirement act, K.S.A. 74-4901 et seq., and amendments thereto;

(13) (A) provide taxpayer information of persons suspected of violating K.S.A. 44-766, and amendments thereto, to the secretary of labor or such secretary's designee for the purpose of determining compliance by any person with the provisions of K.S.A. 44-703(i)(3)(D) and 44-766, and amendments thereto. The information to be provided shall include all relevant information in the possession of the department of revenue necessary for the secretary of labor to make a proper determination of compliance with the provisions of K.S.A. 44-703(i)(3)(D) and 44-766, and amendments thereto, and to calculate any unemployment contribution taxes due. Such information to be provided by the department of revenue shall include, but not be limited to, withholding tax and payroll information, the identity of any person that has been or is currently being audited or investigated in connection with the administration and enforcement of the withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto, and the results or status of such audit or investigation;

(B) any person receiving tax information under the provisions of this paragraph shall be subject to the same duty of confidentiality imposed by law upon the personnel of the department of revenue and shall be subject

to any civil or criminal penalties imposed by law for violations of such duty of confidentiality; and

(C) each of the secretary of labor and the secretary of revenue may adopt rules and regulations necessary to effect the provisions of this paragraph;

(14) provide such information to the state treasurer for the sole purpose of carrying out the provisions of K.S.A. 58-3934, and amendments thereto. Such information shall be limited to current and prior addresses of taxpayers or associated persons who may have knowledge as to the location of an owner of unclaimed property. For the purposes of this paragraph, “associated persons” includes spouses or dependents listed on income tax returns;

(15) after receipt of information pursuant to subsection (f), forward such information and provide the following reported Kansas individual income tax information for each listed defendant, if available, to the state board of indigents’ defense services in an electronic format and in the manner determined by the secretary: (A) The defendant’s name; (B) social security number; (C) Kansas adjusted gross income; (D) number of exemptions claimed; and (E) the relevant tax year of such records. Any social security number provided to the secretary and the state board of indigents’ defense services pursuant to this section shall remain confidential; and

(16) disclose taxpayer information that is received from income tax returns to the department of commerce that may be disclosed pursuant to the provisions of K.S.A. 2022 Supp. 74-50,227, and amendments thereto, for the purpose of including such information in the database required by K.S.A. 2022 Supp. 74-50,227, and amendments thereto.

(d) Any person receiving information under the provisions of subsection (c) shall be subject to the confidentiality provisions of subsection (b) and to the penalty provisions of subsection (e).

(e) Any violation of subsection (b) or (c) is a class A nonperson misdemeanor and, if the offender is an officer or employee of the state, such officer or employee shall be dismissed from office.

(f) For the purpose of determining whether a defendant is financially able to employ legal counsel under the provisions of K.S.A. 22-4504, and amendments thereto, in all felony cases with appointed counsel where the defendant’s social security number is accessible from the records of the district court, the court shall electronically provide the defendant’s name, social security number, district court case number and county to the secretary of revenue in the manner and format agreed to by the office of judicial administration and the secretary.

(g) Nothing in this section shall be construed to allow disclosure of the amount of income or any particulars set forth or disclosed in any re-

port, return, federal return or federal return information, where such disclosure is prohibited by the federal internal revenue code as in effect on September 1, 1996, and amendments thereto, related federal internal revenue rules or regulations, or other federal law.

Sec. 9. K.S.A. 8-1103, as amended by section 4 of 2023 House Bill No. 2147, 25-1122, as amended by section 1 of 2023 House Bill No. 2053, 25-1122, as amended by section 28 of 2023 Senate Bill No. 221, 32-837, as amended by section 35 of 2023 House Bill No. 2332, 32-906, as amended by section 52 of 2023 House Bill No. 2332, 75-1253, as amended by section 127 of 2023 House Bill No. 2332, 75-7240, as amended by section 15 of 2023 House Bill No. 2019, 75-7240, as amended by section 8 of 2023 House Bill No. 2395, 75-7242, as amended by section 16 of 2023 House Bill No. 2019, and 75-7242, as amended by section 9 of 2023 House Bill No. 2395, and K.S.A. 2022 Supp. 21-6614, 21-6614i, 25-3009, as amended by section 48 of 2023 Senate Bill No. 221, 25-3009, as amended by section 3 of 2023 House Bill No. 2053, 65-4101, 65-4101d, 79-3234, as amended by section 72 of 2023 Senate Bill No. 244, and 79-3234, as amended by section 141 of 2023 House Bill No. 2332, are hereby repealed.

Sec. 10. On and after January 1, 2024, K.S.A. 8-1103, as amended by section 1 of 2023 House Bill No. 2042, is hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 9, 2023.

CHAPTER 92

HOUSE BILL No. 2002

AN ACT concerning taxation; relating to sales and compensating use tax; providing county-wide retailers' sales tax authority for Dickinson and Grant counties; providing for a sales tax exemption for area agencies on aging and purchases made by Kansas suicide prevention HQ, inc.; relating to warrants issued by the secretary of revenue; providing that the secretary of revenue file a release of warrant in the county where such warrant is docketed; relating to property tax; relating to qualifications for designation as a registered mass appraiser; granting authority to the director of property valuation to develop qualifying courses; providing that certain tax notices and statements may be transmitted by electronic means by the county treasurer and county appraiser if consented to by the taxpayer; amending K.S.A. 12-187, 12-189, 12-192, 79-2001 and 79-2017 and K.S.A. 2022 Supp. 19-430, 79-1460 and 79-3606 and repealing the existing sections.

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

New Section 1. On and after January 1, 2024, for any warrant issued by the secretary of revenue, or the secretary's designee, that is the result of the taxpayer's failure to pay a tax owed to the state of Kansas, the secretary shall file a release of such warrant in the county where such warrant is docketed upon the taxpayer's full payment of the tax owed, including any interest, penalty and fees required for the filing and release or satisfaction of the warrant.

Sec. 2. K.S.A. 12-187 is hereby amended to read as follows: 12-187. (a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within such county that contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions

within such county that levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, *Grant*, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of

improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(H) The result of the election held on November 7, 2017, on the question submitted by the board of county commissioners of Finney county for the purpose of increasing its countywide retailers' sales tax by 0.3% is hereby declared valid, and the revenues of such tax shall be used by Finney county and the city of Garden City, Kansas, as agreed in an interlocal cooperation agreement between the city and county, and as detailed in the ballot question approved by voters. The tax imposed pursuant to this subparagraph shall be levied for a period of 15 years from the date it is first levied.

(I) The result of the election held on November 3, 2020, on the question submitted by the board of county commissioners of Cherokee county for the purpose of increasing its retailers' sales tax by 0.5% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing: (i) Ambulance services within the county; (ii) renovations and maintenance of county buildings and facilities; or (iii) any other projects within the county deemed necessary by the governing body of Cherokee county. The tax imposed pursuant to this subparagraph shall terminate prior to January 1, 2033.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%,

0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) (A) The board of county commissioners of Clay and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to

this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(B) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) (A) The board of county commissioners of Cowley, Crawford and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected.

(B) The board of county commissioners of Russell county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of 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 pur-

pose 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).

(34) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received for the purpose of joint law enforcement communications and solid waste disposal in Atchison county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(35) *The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional five-year periods upon the board of county commissioners of Dickinson county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.*

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within each of such counties that contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within each of such counties that levy not less

than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Notwithstanding any provision of law to the contrary, including subsection (b)(5), any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be re-submitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) (1) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

(2) In addition to the requirements set forth in paragraph (1), the governing body of the county proposing to levy a countywide retailers' sales tax shall include as a part of the ballot proposition whether:

(A) The apportionment formula provided in K.S.A. 12-192, and amendments thereto, will apply to the revenue;

(B) an interlocal agreement was entered whereby the county will retain either all or part of the revenue; or

(C) pursuant to law, the county retains the revenue in its entirety.

Sec. 3. K.S.A. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of

0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes, which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison or Thomas county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown or Grant county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county, for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such

rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county, for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county, for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%;

(dd) the board of county commissioners of Bourbon county, for the

purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%;

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%;

(ff) the board of county commissioners of Finney county, for the purposes of K.S.A. 12-187(b)(3)(H), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.3%;

(gg) the board of county commissioners of Cherokee county, for the purposes of K.S.A. 12-187(b)(3)(I), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%;

(hh) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(33), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%; ~~and~~

(ii) the board of county commissioners of Atchison county, for the purposes of K.S.A. 12-187(b)(34), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus up to 1%; *and*

(jj) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(35), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the

director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall confirm that all provisions of law applicable to the authorization of local sales tax have been followed prior to causing the collection. If the director of taxation discovers that a city or county did not comply with any provision of law applicable to the authorization of a local sales tax after collection has commenced, the director shall immediately notify the city or county and cease collection of such sales tax until such noncompliance is remedied. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax that exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall

be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 4. K.S.A. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner:

(1) $\frac{1}{2}$ of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and

(2) $\frac{1}{2}$ of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county.

All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner:

(A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and

(B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows:

(i) $\frac{1}{4}$ shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year;

(ii) $\frac{1}{4}$ shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporat-

ed area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and

(iii) $\frac{1}{2}$ shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (3)(I), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30), (31), (32), (33) ~~and~~ (34) ~~and~~ (35), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 5. K.S.A. 2022 Supp. 19-430 is hereby amended to read as follows: 19-430. (a) (1) On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners or governing body of any unified government of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years expiring on June 30 of the fourth year thereafter. No person shall be appointed or

reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least three years of mass appraisal experience and be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act.

(2) Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners or governing body of any unified government shall appoint an eligible Kansas appraiser to fill such vacancy for the unexpired term. The person holding the office of county or district appraiser or performing the duties thereof on the effective date of this act shall continue to hold such office and perform such duties until a county appraiser is appointed under the provisions of this act. No person shall be appointed to the office of county or district appraiser or to fill a vacancy therein unless such person is currently:

~~(1)~~(A) A certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto; or

~~(2)~~(B) a registered mass appraiser pursuant to rules and regulations adopted by the secretary of revenue.

(3) Notwithstanding the ~~foregoing provision~~ *provisions of this subsection*, the board of county commissioners or governing body of any unified government may appoint an interim county appraiser, subject to the approval of the director of property valuation, for a period not to exceed six months to fill a vacancy in the office of county appraiser pending the appointment of an eligible county appraiser under the provisions of this act.

(b) The secretary of revenue shall adopt rules and regulations necessary to establish qualifications for the designation of a registered mass appraiser.

(c) On and after July 1, ~~2022~~ 2023, all appraisal courses necessary to qualify for the designation of a registered mass appraiser and all continuing education appraisal courses necessary to retain such designation shall be courses:

(1) *Developed by the director of property valuation specifically related to the administration of the assessment and tax laws of the state; or*

(2) approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.

Sec. 6. K.S.A. 2022 Supp. 79-1460 is hereby amended to read as follows: 79-1460. (a) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in

valuation in compliance with the directives and specifications of the director of property valuation, and such record and documentation is available to the affected taxpayer. *Alternatively, the county appraiser may transmit the classification and appraised valuation to the taxpayer by electronic means if such taxpayer consented to service by electronic means.*

(b) The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or improvements on the property. ~~For purposes of this section, “normal repair, replacement or maintenance” does not include new construction as defined in this section.~~ For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser shall review the computer-assisted mass-appraisal of the property and if, the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

(1) Adjust the valuation of the property based on the information provided in the previous appeal; or

(2) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser. ~~As used in this section, “new construction” means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.~~

(c) When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year’s final determination, except that such changes shall not be made after October 31 of the current year. ~~For the purposes of this section and in the case of real property, the term “taxpayer” shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and, in the case where the real property or improvement thereon is the subject of a lease agreement, such term shall also be deemed to include the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds. Such notice~~

~~(d) (1) The notice provided under subsection (a) shall specify:~~

~~(A) Separately both for the previous and current tax year and the current tax year, the appraised and assessed values for each property class identified on the parcel. Such notice shall also contain;~~

(B) the uniform parcel identification number prescribed by the director of property valuation. ~~Such notice shall also contain; and~~

(C) a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to subsection ~~(b)~~ (g).

(2) Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

(e) In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of notification which has been approved by the director of property valuation may be utilized by a county.

(f) Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

~~(b) For all taxable years commencing after December 31, 1999,~~

(g) There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide; and shall provide sufficient copies thereof to all county appraisers. Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(h) *As used in this section:*

(1) *“New construction” means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.*

(2) *“Normal repair, replacement or maintenance” does not include new construction.*

(3) *“Taxpayer” means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.*

Sec. 7. K.S.A. 79-2001 is hereby amended to read as follows: 79-2001.

(a) As soon as the county treasurer receives the tax roll of the county, the

treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales, if any, for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$1,000 of valuation.

(b) Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. In addition, with respect to land devoted to agricultural use, such statement shall indicate the acreage and description of each parcel of such land. The tax statement shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax statement also may include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section. *Alternatively, the county treasurer may transmit the tax statement to the taxpayer by electronic means if such taxpayer consented to service by electronic means.*

(c) ~~For tax year 1998, and all tax years thereafter,~~ After receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the tax rolls, a tax information form which indicates the taxing unit, assessed value of real property for the current and next preceding taxable year, the mill levy for the current and next preceding taxable year and, in the case of unified school districts, the mill levy required by K.S.A. 72-5142, and amendments thereto, shall be separately indicated, the tax due and an itemization of each taxing unit's mill levy for the current and next preceding taxable year and the percentage change in the amount of revenue produced therefrom, if any. In addition, with respect to land devoted to agricultural use, such form shall indicate the acreage and description of each parcel of such land. The tax

information form shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax information form may be separate from the tax statement or a part of the tax statement. The tax information form shall be in a format prescribed by the director of property valuation. The tax information form shall be mailed to the last known address of the taxpayer. When a tax information form is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the tax information form to the new address. All tax information forms mailed pursuant to this section shall be mailed by first class mail. *Alternatively, the county treasurer may transmit the tax information forms to the taxpayer by electronic means if such taxpayer consented to service by electronic means.*

Sec. 8. K.S.A. 79-2017 is hereby amended to read as follows: 79-2017. In Douglas, Sedgwick, Johnson and Shawnee counties, all taxes on personal property that remain due and unpaid on February 16 or June 1 shall be collected in the following manner:

The county treasurer on or before March 25 shall send a notice by mail to the person, firm, unincorporated association, company or corporation to whom such taxes were assessed, and which remain unpaid on February 16 of any year, to its post office address as shown by the current tax roll. *Alternatively, the county treasurer may transmit the notice to the taxpayer by electronic means if such taxpayer consented to service by electronic means.*

The county treasurer on or before June 27 shall send a notice by mail to the person, firm, unincorporated association, company or corporation to whom such taxes were assessed, and which remain unpaid on June 1 of any year, to its post office address as shown by the current tax roll. *Alternatively, the county treasurer may transmit the notice to the taxpayer by electronic means if such taxpayer consented to service by electronic means.*

Failure to receive any such tax notice shall not relieve such person, firm, unincorporated association, company or corporation defaulting in payment of personal taxes from any interest and costs attached thereto. Such notice shall state the amount of personal tax charged against the party, and notify the party that the tax may be paid by paying the amount of the tax as assessed and interest the amount of which shall be computed in accordance with the provisions of K.S.A. 79-2004a, and amendments thereto, on the delinquent tax.

The county treasurer is hereby authorized to accept payment of delinquent taxes in full without payment of the interest due upon such delinquent taxes if the amount of the interest due is less than \$5 and is

further authorized to accept as payment in full, any interest payment in an amount not less than \$5 less than the full amount of the interest due.

Should such taxes, due and unpaid on February 16 remain unpaid for a period of 25 days after the mailing of such notice, or taxes due and unpaid on June 1 remain unpaid for a period of 14 days after the mailing of such notice, the county treasurer shall issue a warrant signed by the treasurer directed to the sheriff of the county, commanding the sheriff to levy the amount of such unpaid taxes and the amount of the interest thereon, together with the sheriff's fees for collecting the taxes, upon any personal property, tangible or intangible, of the person, firm, unincorporated association, company or corporation to whom such taxes were assessed.

To allow the time necessary for preparation of such warrants, the county treasurer shall not receive any payment of delinquent personal property taxes or interest thereon, due and unpaid on February 16, during a period beginning the 26th day after mailing of notices and extending through the last regular business day of April in any year or taxes or interest due and unpaid on June 1, during a period beginning the 15th day after mailing of such notices and extending through the regular business day of July 15 in any year. Such warrant shall be delivered to the sheriff by the county treasurer before the first regular business day in May and the 15th regular business day in July in each year. Upon receipt of such tax warrant, the sheriff shall proceed to collect such taxes the same as upon execution, except that where such taxes were levied and assessed pursuant to K.S.A. 79-329 through 79-334, and amendments thereto, they shall be collected as follows:

The sheriff shall cause notice to be given by registered mail to the purchaser of the oil and gas from such lease of the amount of such delinquent taxes and the name of the person against whom they were assessed and from and after the receipt of such notice such purchaser shall not pay to the person owing the taxes any of the proceeds of the sale of any oil or gas from such lease, but shall pay them to the sheriff until the full amount of such taxes and costs are paid after which the purchaser may resume the payments for such oil or gas to such person, but this exception shall not prevent the levy of an execution and sale of the leasehold interest or the physical personal property on any such lease for the payment of delinquent taxes owed by the owner thereof.

The sheriff, as soon as the sheriff collects the tax warrant, shall make a return thereof and shall make a return of all tax warrants delivered to the sheriff on or before October 1 of the year following the year in which the tax was levied. If the warrant so returned shows that the tax has been collected, the sheriff shall pay the tax to the county treasurer. If such return shows that such tax has not been collected, then the county treasurer shall file with the clerk of the district court of the treasurer's county an abstract

of the total amount of unpaid taxes and interest due plus penalties and costs. The clerk shall enter the total amount of the unpaid taxes in the appearance docket and note the entry in the general index. No fee shall be charged for either such entry. The total amount shall become a judgment in the same manner and to the same extent as any other judgment under the code of civil procedure and shall become a lien on real estate from and after the time of the filing thereof. A transcript of the judgment may be filed with the clerk of the district court in any other county and when the judgment is entered in the manner provided above, the judgment shall become a lien upon real estate located in such county in the same manner as is provided in case of other judgments. No fee shall be made for making the entry. Execution, garnishment or other proceedings in aid of execution may issue within the county or to any other county on the judgment in the same manner as on judgments under the code of civil procedure except that any real estate taken upon execution for the collection of such taxes shall be sold without appraisal. None of the exemptions provided for in the code of civil procedure shall apply to any such judgment but no such judgment secured for taxes on personal property shall be levied against a homestead.

At the time of filing the abstract of the taxes, interest, penalties and costs with the clerk of the district court, the county treasurer shall serve notice, in writing, on the county counselor of such filing. It shall be the duty of the county counselor to commence such proceedings as are necessary for the collection of such judgment. If execution is not issued within five years from the date of the entry of any such judgment, or if five years shall have intervened between the date of the last execution issued on such judgment and the time of issuing another writ of execution thereon, such judgment shall become dormant, and shall cease to operate as a lien on the real estate of the delinquent taxpayer. Such dormant judgment may be revived in like manner as dormant judgments under the code of civil procedure. Any such judgment remaining uncollected after seven years may be allowed to become dormant if the county commissioners determine, after consideration of all relevant facts, that it is not reasonable to expect that such judgment will be collected. The board of county commissioners may allow such judgments to become dormant at any time if the original amount of the judgment was less than \$50.

Sec. 9. K.S.A. 2022 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such

electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private non-

profit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pur-

suant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent

status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, “drug” means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equip-

ment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) “Mobility enhancing equipment” means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) “prosthetic device” means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term “farm machinery and equipment or aquaculture machinery and equipment” shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. “Farm machinery and equipment” includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. “Precision farming equipment” includes the following items used only in computer-assisted farming, ranching or

aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification

of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) “Mobile homes” and “manufactured homes” mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) “sales of used mobile homes or manufactured homes” means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased

under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, “business” and “retail business” mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, “mobile homes” and “manufactured homes” mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, “durable medical equipment” means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth

development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in River-ton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) “Integrated production operation” means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) “production line” means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) “manufacturing or processing plant or facility” means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufac-

ture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) “manufacturing or processing business” means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) “repair and replacement parts and accessories” means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and

accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) “primary” or “primarily” mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer’s integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer’s production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer’s production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related

peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and

providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection

shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are

essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the

penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project

the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For

purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering

the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not

intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such

property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of

providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reason-

able attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax

on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which

it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the

contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy

to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code

of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the

purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under

the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were

entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such

organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose; ~~and~~

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2022 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, “qualified business facility,” “qualified firm” and “qualified supplier” mean the same as defined in K.S.A. 2022 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging; and

(2) *all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto; and*

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal inter-

nal revenue code of 1986, for the purpose of bringing suicide prevention training and awareness to communities across the state.

Sec. 10. K.S.A. 12-187, 12-189, 12-192, 79-2001 and 79-2017 and K.S.A. 2022 Supp. 19-430, 79-1460 and 79-3606 are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 10, 2023.

CHAPTER 93

Senate Substitute for HOUSE BILL No. 2010

AN ACT concerning crimes, punishment and criminal procedure; relating to trials; updating a statutory cross reference related to persons found not guilty by reason of mental disease or defect; pertaining to housing, jury instructions and annual hearings on continued commitment; relating to criminal discharge of a firearm; increasing the penalty for violations when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm; enacting the reduce armed violence act; increasing criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms; relating to sentencing; allowing certain nondrug offenders to participate in a certified drug abuse treatment program; relating to postrelease supervision; providing that such term does not toll except as provided by law; amending K.S.A. 12-736 and K.S.A. 2022 Supp. 21-6308, 21-6804, 21-6824, 22-3428, 22-3428a and 22-3722 and repealing the existing sections.

WHEREAS, The provisions of K.S.A. 2022 Supp. 21-6804(z), as amended by this act, shall be known as the reduce armed violence act.

Now, therefore:

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

Section 1. K.S.A. 12-736 is hereby amended to read as follows: 12-736. (a) It is hereby declared to be the policy of the state of Kansas that persons with a disability shall not be excluded from the benefits of single family residential surroundings by any municipal zoning ordinance, resolution or regulation.

(b) For the purpose of this act:

(1) “Group home” means any dwelling occupied by not more than 10 persons, including eight or fewer persons with a disability who need not be related by blood or marriage and not to exceed two staff residents who need not be related by blood or marriage to each other or to the residents of the home, which dwelling is licensed by a regulatory agency of this state;

(2) “municipality” means any township, city or county located in Kansas;

(3) “disability” means, with respect to a person:

(A) A physical or mental impairment that substantially limits one or more of such person’s major life activities;

(B) a record of having such an impairment; or

(C) being regarded as having such an impairment. Such term does not include current, illegal use of or addiction to a controlled substance, as defined in section 102 of the controlled substance act, 21 U.S.C. § 802; *and*

(4) “licensed provider” means a person or agency who provides mental health services and is licensed by:

(A) The Kansas department for aging and disability services pursuant to K.S.A. 39-2001 *et seq.* or 65-425 *et seq.* ~~or K.S.A. 39-2001 *et seq.*, and amendments thereto;~~ or

(B) the behavioral sciences regulatory board pursuant to K.S.A. 74-5301 *et seq.* or 75-5346 *et seq.* ~~or 74-5301 *et seq.*~~, and amendments thereto; or

(C) the state board of healing arts pursuant to K.S.A. 65-2801 *et seq.*, and amendments thereto.

(c) (1) No mentally ill person shall be eligible for placement in a group home unless such person has been evaluated by a licensed provider and such provider determines that the mentally ill person is not dangerous to others and is suitable for group-home placement. A group home shall not be a licensed provider for the purposes of evaluating or approving for placement a mentally ill person in a group home.

(2) No person shall be eligible for placement in a group home if such person is: (A) Assigned to a community corrections program or a diversion program; (B) on parole from a correctional institution or on probation for a felony offense; or (C) in a state mental institution following a finding of mental disease or defect excluding criminal responsibility, pursuant to K.S.A. ~~22-3220 and~~ 22-3221, and amendments thereto, *and K.S.A. 2022 Supp. 21-5209, and amendments thereto.*

(d) No person shall be placed in a group home under this act unless such dwelling is licensed as a group home by the Kansas department for aging and disability services or the department of health and environment.

(e) No municipality shall prohibit the location of a group home in any zone or area where single family dwellings are permitted. Any zoning ordinance, resolution or regulation that prohibits the location of a group home in such zone or area or that subjects group homes to regulations not applicable to other single family dwellings in the same zone or area is invalid. Notwithstanding the provisions of this act, group homes shall be subject to all other regulations applicable to other property and buildings located in the zone or area that are imposed by any municipality through zoning ordinance, resolution or regulation, its building regulatory codes, subdivision regulations or other nondiscriminatory regulations.

(f) No person or entity shall contract or enter into a contract, restrictive covenant, equitable servitude or such similar restriction that would restrict group homes or their location in a manner inconsistent with the provisions of subsection (e).

Sec. 2. K.S.A. 2022 Supp. 21-6308 is hereby amended to read as follows: 21-6308. (a) Criminal discharge of a firearm is the:

(1) Reckless and unauthorized discharge of any firearm *at*:

(A) ~~At~~ a dwelling, building or structure in which there is a human being, *regardless of* whether the person discharging the firearm knows or has reason to know that there is a human being present;

(B) ~~at~~ a motor vehicle; *in which there is a human being, regardless of whether the person discharging the firearm knows or has reason to know that there is a human being present; or*

(C) *an aircraft, watercraft, train, locomotive, railroad car, caboose, rail-mounted work equipment or rolling stock or other means of conveyance of persons, other than a motor vehicle, or property in which there is a human being, regardless of whether the person discharging the firearm knows or has reason to know that there is a human being present;*

(2) reckless and unauthorized discharge of any firearm at a dwelling in which there is no human being; or

(3) discharge of any firearm:

(A) Upon any land or nonnavigable body of water of another, without having obtained permission of the owner or person in possession of such land; or

(B) upon or from any public road, public road right-of-way or railroad right-of-way except as otherwise authorized by law.

(b) Criminal discharge of a firearm as defined in:

(1) Subsection (a)(1) is a:

(A) Severity level 7, person felony except as provided in subsection (b)(1)(B) or (b)(1)(C);

(B) *severity level 5, person felony if such criminal discharge results in bodily harm to a person during the commission thereof; and*

(C) *severity level 3, person felony if such criminal discharge results in great bodily harm to a person during the commission thereof; or*

~~(C) severity level 5, person felony if such criminal discharge results in bodily harm to a person during the commission thereof;~~

(2) subsection (a)(2) is a severity level 8, person felony; and

(3) subsection (a)(3) is a class C *nonperson* misdemeanor.

(c) Subsection (a)(1) shall not apply if the act is a violation of K.S.A. 2022 Supp. 21-5412(d), and amendments thereto.

(d) Subsection (a)(3) shall not apply to any of the following:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the national guard while in the performance of their official duty;

(4) watchmen, while actually engaged in the performance of the duties of their employment;

(5) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(6) detectives or special agents regularly employed by railroad com-

panies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;

(7) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157, and amendments thereto; or

(8) the United States attorney for the district of Kansas, the attorney general, or any district attorney or county attorney, while actually engaged in the duties of their employment or any activities incidental to such duties; any assistant United States attorney if authorized by the United States attorney for the district of Kansas and while actually engaged in the duties of their employment or any activities incidental to such duties; any assistant attorney general if authorized by the attorney general and while actually engaged in the duties of their employment or any activities incidental to such duties; or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed and while actually engaged in the duties of their employment or any activities incidental to such duties.

Sec. 3. K.S.A. 2022 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - NONDRUG OFFENSES

Category	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 31 29
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	23 21 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

LEGEND
Presumptive Probation
3-5 Years
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for non-drug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;
(B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and
(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of K.S.A. 2022 Supp. 21-5412(d), and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed

imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (1) The sentence for the violation of the felony provision of K.S.A. 2022 Supp. 21-5414(b)(3)(c)(1)(C), 21-5823(b)(3) and (b)(4), 21-6412 and 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2022 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2022 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2022 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 2022 Supp. 21-5414(b)(3)(c)(1)(C), 21-5823(b)(3) and (b)(4), 21-6412 and 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2022 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under ~~subsection (j)(2)(A)(i) clause (i)~~ has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2022 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under ~~subsection (j)(2)(B)(i)~~ *clause (i)* has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional non-prison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of K.S.A. 2022 Supp. 21-5807(a)(1), and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2022 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-3715(a) or (b), prior to its repeal, 21-3716, prior to its repeal, K.S.A. 2022 Supp. 21-5807(a)(1) or (a)(2) or 21-5807(b), and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.

(m) The sentence for a violation of K.S.A. 22-4903 or K.S.A. 2022 Supp. 21-5913(a)(2), and amendments thereto, shall be presumptive im-

prisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2022 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of K.S.A. 21-3705(b), prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2022 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(o) (I) The sentence for a felony violation of theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2022 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2022 Supp. 21-5807(a), and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2022 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in K.S.A. 2022 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2022 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved aftercare plan, if the court makes the following findings on the record:

(1)(A) Substance abuse was an underlying factor in the commission of the crime;

(2)(B) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3)(C) participation in an intensive substance abuse treatment program will serve community safety interests.

(2) A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of K.S.A. 2022 Supp. 21-6824(f)(1), and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) (1) The sentence for a felony violation of theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2022 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in K.S.A. 2022 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2022 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

~~(1)(A)~~ Substance abuse was an underlying factor in the commission of the crime;

~~(2)(B)~~ substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

~~(3)(C)~~ participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

(2) The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) (1) As used in this section, an “optional nonprison sentence” is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

~~(1)~~(A) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

~~(2)~~(B) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

~~(3)~~(C) the nonprison sanction will serve community safety interests by promoting offender reformation.

(2) Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of K.S.A. 2022 Supp. 21-5413(c)(2), and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2022 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding beyond a reasonable doubt that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months’ imprisonment.

(2) The sentence imposed pursuant to ~~subsection (t)(1)~~ *paragraph (1)* shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, “ballistic resistant material” means *any*:

(A) ~~Any~~ Commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and

(B) ~~any~~ homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2022 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2022 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2022 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit

such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(v) The sentence for a third or subsequent violation of K.S.A. 8-1568, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(w) The sentence for aggravated criminal damage to property as defined in K.S.A. 2022 Supp. 21-5813(b), and amendments thereto, when such person being sentenced has a prior conviction for any nonperson felony shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(x) The sentence for a violation of K.S.A. 2022 Supp. 21-5807(a)(1), and amendments thereto, shall be presumptive imprisonment if the offense under such paragraph is classified in grid blocks 7-C, 7-D or 7-E. Such sentence shall not be considered a departure and shall not be subject to appeal.

(y) (1) Except as provided in ~~subsection (y)(3)~~ *paragraph (3)*, if the trier of fact makes a finding beyond a reasonable doubt that an offender committed a nondrug felony offense, or any attempt or conspiracy, as defined in K.S.A. 2022 Supp. 21-5301 and 21-5302, and amendments thereto, to commit a nondrug felony offense, against a law enforcement officer, as defined in K.S.A. 2022 Supp. 21-5111(p)(1) and (3), and amendments thereto, while such officer was engaged in the performance of such officer's duty, or in whole or in any part because of such officer's status as a law enforcement officer, the sentence for such offense shall be:

(A) If such offense is classified in severity level 2 through 10, one severity level above the appropriate level for such offense; and

(B) (i) if such offense is classified in severity level 1, except as otherwise provided in ~~subsection (y)(1)(B)(ii)~~ *clause (ii)*, imprisonment for life, and such offender shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, such offender shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(ii) The provisions of ~~subsection (y)(1)(B)(i)~~ *clause (i)* requiring the court to impose a mandatory minimum term of imprisonment of 25 years shall not apply if the court finds the offender, because of the offender's criminal history classification, is subject to presumptive imprisonment and the sentencing range exceeds 300 months. In such case, the offender is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.

(2) The sentence imposed pursuant to ~~subsection (y)(1)~~ *paragraph (1)* shall not be considered a departure and shall not be subject to appeal.

(3) The provisions of this subsection shall not apply to an offense described in ~~subsection (y)(1) paragraph (1)~~ if the factual aspect concerning a law enforcement officer is a statutory element of such offense.

(z)(1) Notwithstanding K.S.A. 2022 Supp. 21-5109(b)(2), and amendments thereto, or any other provision of law to the contrary, the sentence for a violation of criminal possession of a weapon by a convicted felon as defined in K.S.A. 2022 Supp. 21-6304, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed if the trier of fact makes a finding beyond a reasonable doubt that:

(A) The weapon the offender possessed during such violation was a firearm; and

(B) such firearm was used by the offender during the commission of any violent felony.

(2) The sentence imposed pursuant to paragraph (1) shall not be considered a departure and shall not be subject to appeal. No other sentence shall be permitted.

(3) The provisions of this subsection shall not apply to an offender who is prohibited from possessing a weapon pursuant to K.S.A. 2022 Supp. 21-6304, and amendments thereto, as a result of a juvenile adjudication.

(4) As used in this subsection, “violent felony” means any of the following:

(A) Capital murder, as defined in K.S.A. 2022 Supp. 21-5401, and amendments thereto;

(B) murder in the first degree, as defined in K.S.A. 2022 Supp. 21-5402, and amendments thereto;

(C) murder in the second degree, as defined in K.S.A. 2022 Supp. 21-5403, and amendments thereto;

(D) voluntary manslaughter, as defined in K.S.A. 2022 Supp. 21-5404, and amendments thereto;

(E) kidnapping, as defined in K.S.A. 2022 Supp. 21-5408(a)(1), and amendments thereto, or aggravated kidnapping, as defined in K.S.A. 2022 Supp. 21-5408(b), and amendments thereto;

(F) aggravated assault, as defined in K.S.A. 2022 Supp. 21-5412(b)(1), and amendments thereto, and aggravated assault of a law enforcement officer, as defined in K.S.A. 2022 Supp. 21-5412(d)(1), and amendments thereto;

(G) aggravated battery, as defined in K.S.A. 2022 Supp. 21-5413(b)(1) (A) or (b)(1)(B), and amendments thereto, and aggravated battery against a law enforcement officer, as defined in K.S.A. 2022 Supp. 21-5413(d)(1) or (d)(2), and amendments thereto;

(H) mistreatment of a dependent adult or mistreatment of an elder person, as defined in K.S.A. 2022 Supp. 21-5417(a)(1), and amendments thereto;

(I) *rape, as defined in K.S.A. 2022 Supp. 21-5503, and amendments thereto;*

(J) *aggravated criminal sodomy, as defined in K.S.A. 2022 Supp. 21-5504(b), and amendments thereto;*

(K) *abuse of a child, as defined in K.S.A. 2022 Supp. 21-5602(a)(1) or (a)(3), and amendments thereto;*

(L) *any felony offense described in K.S.A. 2022 Supp. 21-5703 or 21-5705, and amendments thereto;*

(M) *treason, as defined in K.S.A. 2022 Supp. 21-5901, and amendments thereto;*

(N) *criminal discharge of a firearm, as defined in K.S.A. 2022 Supp. 21-6308(a)(1), and amendments thereto;*

(O) *fleeing or attempting to elude a police officer, as defined in K.S.A. 8-1568(b), and amendments thereto;*

(P) *any felony that includes the domestic violence designation pursuant to K.S.A. 2022 Supp. 22-4616, and amendments thereto; or*

(Q) *any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2022 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of any felony offense defined in this subsection.*

(aa) (1) *The sentence for a violation of K.S.A. 2022 Supp. 21-6308(a)(1)(A) or (a)(1)(B), and amendments thereto, if the trier of fact makes a finding beyond a reasonable doubt that the offender discharged a firearm and that the offender knew or reasonably should have known that:*

(A) *A person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm, shall be presumptive imprisonment and, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 60 months of imprisonment; and*

(B) *a person less than 14 years of age was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm, shall be presumptive imprisonment and, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 120 months of imprisonment.*

(2) *The sentence imposed pursuant to paragraph (1) shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.*

Sec. 4. K.S.A. 2022 Supp. 21-6824 is hereby amended to read as follows: 21-6824. (a) There is hereby established a nonprison sanction of certified drug abuse treatment programs for certain offenders who are sentenced on or after November 1, 2003. Placement of offenders in certified drug abuse treatment programs by the court shall be limited to placement of adult offenders; *who meet the requirements of this subsection.*

(1) *Offenders* convicted of a felony violation of K.S.A. 2022 Supp. 21-5705 or 21-5706, and amendments thereto, whose offense is classified in grid blocks:

~~(1)(A)~~ 5-C, 5-D, 5-E, 5-F, 5-G, 5-H or 5-I of the sentencing guidelines grid for drug crimes and such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2022 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; or

~~(2)(B)~~ 5-A, 5-B, 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes; *and*:

(i) Such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2022 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; ~~if~~:

(ii) the person felonies in the offender's criminal history were severity level 8, 9 or 10 or nongrid offenses of the sentencing guidelines grid for nondrug crimes; *and*

(iii) the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will not be jeopardized by such placement in a drug abuse treatment program.

(2) *Offenders convicted of a nonperson felony whose offense is classified in grid blocks*:

(A) 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 9-C, 9-D, 9-E, 9-F, 9-G, 9-H, 9-I, 8-C, 8-D, 8-E, 8-F, 8-G, 8-H, 8-I, 7-C, 7-D, 7-E, 7-F, 7-G, 7-H or 7-I of the sentencing guidelines grid for nondrug crimes and such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2022 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; or

(B) 10-A, 10-B, 9-A, 9-B, 8-A, 8-B, 7-A or 7-B of the sentencing guidelines grid for nondrug crimes *and*:

(i) Such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2022 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction;

(ii) the person felonies in the offender's criminal history were severity level 8, 9 or 10 or nongrid offenses of the sentencing guidelines grid for nondrug crimes; *and*

(iii) *the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will not be jeopardized by such placement in a drug abuse treatment program.*

(b) As a part of the presentence investigation pursuant to K.S.A. 2022 Supp. 21-6813, and amendments thereto, offenders who meet the requirements of subsection (a), unless otherwise specifically ordered by the court, shall be subject to:

(1) A drug abuse assessment ~~which~~ *that* shall include a clinical interview with a mental health professional and a recommendation concerning drug abuse treatment for the offender; and

(2) a criminal risk-need assessment. The criminal risk-need assessment shall assign a risk status to the offender.

(c) If the offender is assigned a risk status as determined by the drug abuse assessment performed pursuant to subsection (b)(1) and a risk status as determined by the criminal risk-need assessment performed pursuant to subsection (b)(2) that meets the criteria for participation in a drug abuse treatment program as determined by the Kansas sentencing commission, the sentencing court shall commit the offender to treatment in a drug abuse treatment program until the court determines the offender is suitable for discharge by the court. The term of treatment shall not exceed 18 months. The court may extend the term of probation, pursuant to K.S.A. 2022 Supp. 21-6608(c)(3), and amendments thereto. The term of treatment may not exceed the term of probation.

(d) (1) Offenders who are committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services.

(2) Offenders who are not committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services or court services based on the result of the criminal risk assessment.

(3) If the offender is permitted to go from the judicial district of the sentencing court, the court may, pursuant to K.S.A. 2022 Supp. 21-6610, and amendments thereto:

(A) Transfer supervision of the offender from that judicial district to another; and

(B) either transfer or retain jurisdiction of the offender.

(e) Placement of offenders under subsection ~~(a)(2)~~ *(a)(1)(B) or (a)(2)(B)* shall be subject to the departure sentencing statutes of the revised Kansas sentencing guidelines act.

(f) (1) Offenders in drug abuse treatment programs shall be discharged from such program if the offender:

(A) Is convicted of a new felony; or

(B) has a pattern of intentional conduct that demonstrates the offend-

er's refusal to comply with or participate in the treatment program, as established by judicial finding.

(2) Offenders who are discharged from such program shall be subject to the revocation provisions of K.S.A. 2022 Supp. 21-6604(n), and amendments thereto.

(g) As used in this section, "mental health professional" includes licensed social workers, persons licensed to practice medicine and surgery, licensed psychologists, licensed professional counselors or registered alcohol and other drug abuse counselors licensed or certified as addiction counselors who have been certified by the Kansas sentencing commission to treat offenders pursuant to K.S.A. 75-52,144, and amendments thereto.

(h) (1) Offenders who meet the requirements of subsection (a) shall not be subject to the provisions of this section and shall be sentenced as otherwise provided by law, if such offenders:

(A) Are residents of another state and are returning to such state pursuant to the interstate corrections compact or the interstate compact for adult offender supervision;

(B) are not lawfully present in the United States and being detained for deportation; or

(C) do not meet the risk assessment levels provided in subsection (c).

(2) Such sentence shall not be considered a departure and shall not be subject to appeal.

(i) The court may order an offender who otherwise does not meet the requirements of subsection (c) to undergo one additional drug abuse assessment while such offender is on probation. Such offender may be ordered to undergo drug abuse treatment pursuant to subsection (a) if such offender is determined to meet the requirements of subsection (c). The cost of such assessment shall be paid by such offender.

Sec. 5. K.S.A. 2022 Supp. 22-3428 is hereby amended to read as follows: 22-3428. (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 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) 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) 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 prosecuting attorney, the defendant and the defendant's attorney. The 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) 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 (d). The prosecuting attorney shall provide victim notification regarding the outcome of the hearing.

(b) Subject to the provisions of subsection (c):

(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 (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 (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.

(2) Any person committed under subsection (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 (b)(1) or conditional release or discharge of a person pursuant to subsection (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 dis-

charge. Such notice shall include, but not be limited to: (1) Identification of the patient; (2) the course of treatment; (3) a current assessment of the defendant's mental illness; (4) recommendations for future treatment, if any; and (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 prosecuting attorney of the county from which the person was originally ordered committed. The 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 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 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 (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 prosecuting attorney shall notify any victims of the outcome of the hearing.

(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 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:

(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

(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.

(e) At any time during the conditional release period, a conditionally released patient, through the patient's attorney, or the prosecuting attorney of the county 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 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 prosecuting attorney and the patient, may make orders: (1) For additional conditions of release designed to effect the ends of the reentry program; (2) requiring the

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 (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 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.

(f) In any case in which the defense that the defendant lacked the required mental state pursuant to K.S.A. ~~22-3220~~ 2022 *Supp.* 21-5209, and amendments thereto, is relied on, the court shall instruct the jury on the substance of this section.

(g) As used in this section and K.S.A. 22-3428a, and amendments thereto:

(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.

(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.

(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. 6. K.S.A. 2022 *Supp.* 22-3428a is hereby amended to read as follows: ~~22-3428a.~~ (1) (a) Any person found not guilty, pursuant to K.S.A. ~~22-3220~~ and 22-3221, and amendments thereto, and K.S.A. 2022 *Supp.* 21-5209, and amendments thereto, who remains in the state security hospital or a state hospital for over one year pursuant to a commitment under K.S.A. 22-3428, and amendments thereto, shall be entitled annually to request a hearing to determine whether or not the person continues to be a mentally ill person. The request shall be made in writing to the district court of the county where the person is hospitalized and shall be signed by the committed person or the person’s counsel. When the request is filed, the court shall give notice of the request to: ~~(a)~~ (1) The county or district attorney of the county in which the person was originally ordered com-

mitted; and ~~(b)~~ (2) the chief medical officer of the state security hospital or state hospital where the person is committed. The chief medical officer receiving the notice, or the officer's designee, shall conduct a mental examination of the person and shall send to the district court of the county where the person is hospitalized and to the county or district attorney of the county in which the person was originally ordered committed a report of the examination within 21 days from the date when notice from the court was received. Within 14 days after receiving the report of the examination, the county or district attorney receiving it may file a motion with the district court that gave the notice, requesting the court to change the venue of the hearing to the district court of the county in which the person was originally committed, or the court that gave the notice on its own motion may change the venue of the hearing to the district court of the county in which the person was originally committed. Upon receipt of that motion and the report of the mental examination or upon the court's own motion, the court shall transfer the hearing to the district court specified in the motion and send a copy of the court's records of the proceedings to that court.

~~(2)~~(b) After the time in which a change of venue may be requested has elapsed, the court having venue shall set a date for the hearing, giving notice thereof to the county or district attorney of the county, the committed person and the person's counsel. The county or district attorney shall provide victim notification. If there is no counsel of record, the court shall appoint a counsel for the committed person. The committed person shall have the right to procure, at the person's own expense, a mental examination by a physician or licensed psychologist of the person's own choosing. If a committed person is financially unable to procure such an examination, the aid to indigent defendants provisions of article 45 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, shall be applicable to that person. A committed person requesting a mental examination pursuant to K.S.A. 22-4508, and amendments thereto, may request a physician or licensed psychologist of the person's own choosing and the court shall request the physician or licensed psychologist to provide an estimate of the cost of the examination. If the physician or licensed psychologist agrees to accept compensation in an amount in accordance with the compensation standards set by the board of supervisors of panels to aid indigent defendants, the judge shall appoint the requested physician or licensed psychologist; otherwise, the court shall designate a physician or licensed psychologist to conduct the examination. Copies of each mental examination of the committed person shall be filed with the court at least seven days prior to the hearing and shall be supplied to the county or district attorney receiving notice pursuant to this section and the committed person's counsel.

~~(3)~~(c) At the hearing the committed person shall have the right to present evidence and cross-examine the witnesses. The court shall receive all relevant evidence, including the written findings and recommendations of the chief medical officer of the state security hospital or state hospital where the person is under commitment, and shall determine whether the committed person continues to be a mentally ill person. At the hearing the court may make any order that a court is empowered to make pursuant to ~~subsections (3), (4) and (5) of K.S.A. 22-3428(c), (d) and (e),~~ and amendments thereto. If the court finds by clear and convincing evidence the committed person is not a mentally ill person, the court shall order the person discharged; otherwise, the person shall remain committed or be conditionally released. The county or district attorney shall provide victim notification regarding the outcome of the hearing.

~~(4)~~(d) Costs of a hearing held pursuant to this section shall be assessed against and paid by the county in which the person was originally ordered committed.

Sec. 7. K.S.A. 2022 Supp. 22-3722 is hereby amended to read as follows: 22-3722. (a) The period served on parole or conditional release shall be deemed service of the term of confinement, and, subject to the provisions contained in K.S.A. 75-5217, and amendments thereto, relating to an inmate who is a fugitive from or has fled from justice, the total time served may not exceed the maximum term or sentence. The period served on postrelease supervision shall vest in and be subject to the provisions contained in K.S.A. 75-5217, and amendments thereto, relating to an inmate who is a fugitive from or has fled from justice. *The service of the postrelease supervision period shall not toll except as provided by K.S.A. 75-5217, and amendments thereto.* The total time served shall not exceed the postrelease supervision period established at sentencing.

(b) When an inmate on parole or conditional release has performed the obligations of the release for such time as shall satisfy the prisoner review board that final release is not incompatible with the best interest of society and the welfare of the individual, the board may make a final order of discharge and issue a certificate of discharge to the inmate but no such order of discharge shall be made in any case within a period of less than one year after the date of release except where the sentence expires earlier thereto. When an inmate has reached the end of the postrelease supervision period, the board shall issue a certificate of discharge to the releasee. Such discharge, and the discharge of an inmate who has served the inmate's term of imprisonment, shall have the effect of restoring all civil rights lost by operation of law upon commitment, and the certification of discharge shall so state. Nothing herein contained shall be held to impair the power of the governor to grant a pardon or commutation of sentence in any case.

Sec. 8. K.S.A. 12-736 and K.S.A. 2022 Supp. 21-6308, 21-6804, 21-6824, 22-3428, 22-3428a and 22-3722 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 10, 2023.

CHAPTER 94

SENATE BILL No. 174

AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public peace; increasing the criminal penalty for battery of a healthcare provider; relating to crimes involving controlled substances; adding the placing of controlled substances into pills into the definition of manufacture; excluding materials used to detect the presence of fentanyl, ketamine or gamma hydroxybutyric acid from the definition of drug paraphernalia; increasing the criminal penalties for manufacturing fentanyl-related controlled substances; creating a special sentencing rule for manufacturing fentanyl-related controlled substances and for manufacturing or distributing any controlled substances that are likely to be attractive to minors because of their appearance or packaging; relating to crimes involving property; adding domestic battery and violation of a protection order to the list of crimes a person has intent to commit for the crimes of burglary and aggravated burglary; relating to interference with law enforcement; increasing criminal penalties when the violation involves fleeing from a law enforcement officer; authorizing the attorney general to prosecute certain crimes that are part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 75-702 and K.S.A. 2022 Supp. 21-5413, 21-5701, 21-5703, 21-5807, 21-5904 and 21-6805 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 21-5701b.

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

Section 1. K.S.A. 2022 Supp. 21-5413 is hereby amended to read as follows: 21-5413. (a) Battery is:

(1) Knowingly or recklessly causing bodily harm to another person; or
(2) knowingly causing physical contact with another person when done in a rude, insulting or angry manner.

(b) Aggravated battery is:

(1) (A) Knowingly causing great bodily harm to another person or disfigurement of another person;

(B) knowingly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(C) knowingly causing physical contact with another person when done in a rude, insulting or angry manner with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted;

(2) (A) recklessly causing great bodily harm to another person or disfigurement of another person;

(B) recklessly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted; or

(3) (A) committing an act described in K.S.A. 8-1567, and amendments thereto, when great bodily harm to another person or disfigurement of another person results from such act; or

(B) committing an act described in K.S.A. 8-1567, and amendments thereto, when bodily harm to another person results from such act under

circumstances whereby great bodily harm, disfigurement or death can result from such act; or

(4) committing an act described in K.S.A. 8-1567, and amendments thereto, when great bodily harm to another person or disfigurement of another person results from such act while:

(A) In violation of any restriction imposed on such person's driving privileges pursuant to article 10 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto;

(B) such person's driving privileges are suspended or revoked pursuant to article 10 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto; or

(C) such person has been deemed a habitual violator as defined in K.S.A. 8-285, and amendments thereto, including at least one violation of K.S.A. 8-1567, and amendments thereto, or violating an ordinance of any city in this state, any resolution of any county in this state or any law of another state, which ordinance, resolution or law declares to be unlawful the acts prohibited by that statute.

(c) Battery against a law enforcement officer is:

(1) Battery, as defined in subsection (a)(2); committed against a:

(A) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(B) uniformed or properly identified state, county or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty;

(C) uniformed or properly identified federal law enforcement officer while such officer is engaged in the performance of such officer's duty;

(D) judge, while such judge is engaged in the performance of such judge's duty;

(E) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(F) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty;

(2) battery, as defined in subsection (a)(1); committed against a:

(A) Uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(B) uniformed or properly identified state, county or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee or a juvenile detention facility officer, or employee, while such officer is engaged in the performance of such officer's duty;

(C) uniformed or properly identified federal law enforcement officer while such officer is engaged in the performance of such officer's duty;

(D) judge, while such judge is engaged in the performance of such judge's duty;

(E) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(F) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty; or

(3) battery; as defined in subsection (a) committed against a:

(A) State correctional officer or employee by a person in custody of the secretary of corrections, while such officer or employee is engaged in the performance of such officer's or employee's duty;

(B) state correctional officer or employee by a person confined in such juvenile correctional facility, while such officer or employee is engaged in the performance of such officer's or employee's duty;

(C) juvenile detention facility officer or employee by a person confined in such juvenile detention facility, while such officer or employee is engaged in the performance of such officer's or employee's duty; or

(D) city or county correctional officer or employee by a person confined in a city holding facility or county jail facility, while such officer or employee is engaged in the performance of such officer's or employee's duty.

(d) Aggravated battery against a law enforcement officer is:

(1) ~~An~~ Aggravated battery; as defined in subsection (b)(1)(A) committed against a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty;

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(C) uniformed or properly identified federal law enforcement officer while such officer is engaged in the performance of such officer's duty;

(D) judge, while such judge is engaged in the performance of such judge's duty;

(E) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(F) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty;

(2) ~~an~~ aggravated battery; as defined in subsection (b)(1)(B) or (b)(1)(C); committed against a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty;

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty;

(C) uniformed or properly identified federal law enforcement officer while such officer is engaged in the performance of such officer's duty;

(D) judge, while such judge is engaged in the performance of such judge's duty;

(E) attorney, while such attorney is engaged in the performance of such attorney's duty; or

(F) community corrections officer or court services officer, while such officer is engaged in the performance of such officer's duty; or

(3) knowingly causing, with a motor vehicle, bodily harm to a:

(A) Uniformed or properly identified state, county or city law enforcement officer while the officer is engaged in the performance of the officer's duty;

(B) uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or

(C) uniformed or properly identified federal law enforcement officer while such officer is engaged in the performance of such officer's duty.

(e) Battery against a school employee is a battery; as defined in subsection (a); committed against a school employee in or on any school property or grounds upon which is located a building or 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 or at any regularly scheduled school sponsored activity or event, while such employee is engaged in the performance of such employee's duty.

(f) Battery against a mental health employee is a battery; as defined in subsection (a); committed against a mental health employee by a person in the custody of the secretary for aging and disability services, while such employee is engaged in the performance of such employee's duty.

(g) *Battery against a healthcare provider is a battery as defined in subsection (a) committed against a healthcare provider while such provider is engaged in the performance of such provider's duty.*

(h) (1) Battery is a class B person misdemeanor.

(2) Aggravated battery as defined in:

(A) Subsection (b)(1)(A) or (b)(4) is a severity level 4, person felony;

(B) subsection (b)(1)(B) or (b)(1)(C) is a severity level 7, person felony;

(C) subsection (b)(2)(A) or (b)(3)(A) is a severity level 5, person felony; and

(D) subsection (b)(2)(B) or (b)(3)(B) is a severity level 8, person felony.

(3) Battery against a law enforcement officer as defined in:

(A) Subsection (c)(1) is a class A person misdemeanor;

- (B) subsection (c)(2) is a severity level 7, person felony; and
- (C) subsection (c)(3) is a severity level 5, person felony.
- (4) Aggravated battery against a law enforcement officer as defined in:
 - (A) Subsection (d)(1) or (d)(3) is a severity level 3, person felony; and
 - (B) subsection (d)(2) is a severity level 4, person felony.
- (5) Battery against a school employee is a class A person misdemeanor.
- (6) Battery against a mental health employee is a severity level 7, person felony.

(7) *Battery against a healthcare provider is a class A person misdemeanor.*

~~(h)~~(i) As used in this section:

(1) “Correctional institution” means any institution or facility under the supervision and control of the secretary of corrections;

(2) “state correctional officer or employee” means any officer or employee of the Kansas department of corrections or any independent contractor, or any employee of such contractor, whose duties include working at a correctional institution;

(3) “juvenile detention facility officer or employee” means any officer or employee of a juvenile detention facility as defined in K.S.A. 38-2302, and amendments thereto;

(4) “city or county correctional officer or employee” means any correctional officer or employee of the city or county or any independent contractor, or any employee of such contractor, whose duties include working at a city holding facility or county jail facility;

(5) “school employee” means any employee of 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;

(6) “mental health employee” means: (A) An employee of the Kansas department for aging and disability services working at Larned state hospital, Osawatomie state hospital, Kansas neurological institute and Parsons state hospital and training center and the treatment staff as defined in K.S.A. 59-29a02, and amendments thereto; and (B) contractors and employees of contractors under contract to provide services to the Kansas department for aging and disability services working at any such institution or facility;

(7) “judge” means a duly elected or appointed justice of the supreme court, judge of the court of appeals, judge of any district court of Kansas, district magistrate judge or municipal court judge;

(8) “attorney” means a: (A) County attorney, assistant county attorney, special assistant county attorney, district attorney, assistant district attorney, special assistant district attorney, attorney general, assistant attorney general or special assistant attorney general; and (B) public defender, as-

sistant public defender, contract counsel for the state board of indigents' defense services or an attorney who is appointed by the court to perform services for an indigent person as provided by article 45 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto;

(9) "community corrections officer" means an employee of a community correctional services program responsible for supervision of adults or juveniles as assigned by the court to community corrections supervision and any other employee of a community correctional services program that provides enhanced supervision of offenders such as house arrest and surveillance programs;

(10) "court services officer" means an employee of the Kansas judicial branch or local judicial district responsible for supervising, monitoring or writing reports relating to adults or juveniles as assigned by the court, or performing related duties as assigned by the court; ~~and~~

(11) "federal law enforcement officer" means a law enforcement officer employed by the United States federal government who, as part of such officer's duties, is permitted to make arrests and to be armed; *and*

(12) "*healthcare provider*" means an individual who is licensed, registered, certified or otherwise authorized by the state of Kansas to provide healthcare services in this state.

Sec. 2. K.S.A. 2022 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2022 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) (1) “Drug” means:

(A) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(B) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(C) substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(D) substances intended for use as a component of any article specified in subparagraph (A), (B) or (C).

(2) “Drug” does not include devices or their components, parts or accessories.

(f) (1) “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.

(2) “Drug paraphernalia” ~~shall include~~ *includes*, but is not limited to:

~~(1)(A)~~ 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)(B)~~ kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

~~(3)~~(C) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

~~(4)~~(D) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

~~(5)~~(E) scales and balances used or intended for use in weighing or measuring controlled substances;

~~(6)~~(F) 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)~~(G) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

~~(8)~~(H) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

~~(9)~~(I) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

~~(10)~~(J) containers and other objects used or intended for use in storing or concealing controlled substances;

~~(11)~~(K) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;

~~(12)~~(L) 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)~~(i) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

~~(B)~~(ii) water pipes, bongos or smoking pipes designed to draw smoke through water or another cooling device;

~~(C)~~(iii) 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)~~(iv) smoking and carburetion masks;

~~(E)~~(v) 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)~~(vi) miniature cocaine spoons and cocaine vials;

~~(G)~~(vii) chamber smoking pipes;

~~(H)~~(viii) carburetor smoking pipes;

~~(I)~~(ix) electric smoking pipes;

~~(J)~~(x) air-driven smoking pipes;

~~(K)~~(xi) chillums;

~~(L)~~(xii) bongos;
~~(M)~~(xiii) ice pipes or chillers;
~~(N)~~(xiv) any smoking pipe manufactured to disguise its intended purpose;

~~(O)~~(xv) wired cigarette papers; or

~~(P)~~(xvi) cocaine freebase kits.

(3) “Drug paraphernalia” ~~shall~~ does not include:

(A) Any products, chemicals or materials described in K.S.A. 2022 Supp. 21-5709(a), and amendments thereto; or

(B) *any materials used or intended for use to test a substance for the presence of fentanyl, a fentanyl analog, ketamine or gamma hydroxybutyric acid.*

(g) *“Fentanyl-related controlled substance” means any substance designated in K.S.A. 65-4105(b)(1), (b)(2), (b)(4), (b)(10), (b)(11), (b)(14), (b)(15), (b)(16), (b)(20), (b)(22), (b)(23), (b)(24), (b)(37), (b)(41), (b)(45), (b)(46), (b)(47), (b)(49), (b)(57), (b)(58), (b)(59), (b)(60), (b)(61), (b)(62), (b)(73), (b)(74), (b)(78), (g)(1) or (g)(2) or 65-4107(c)(1), (c)(6), (c)(9), (c)(26), (c)(28), (c)(30), (f)(3)(A) or (f)(3)(B), and amendments thereto, or any analog thereof.*

(h) “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)~~(i) “Isomer” means all enantiomers and diastereomers.

~~(i)~~(j) “Manufacture” means the production, preparation, propagation, compounding, conversion or processing of or *placing into pill or capsule form* 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)~~(k) “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) drug products approved by the United States food and drug administration as of the effective date of this act;

(4) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

(5) industrial hemp as defined in K.S.A. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

~~(k)~~(l) “Minor” means a person under 18 years of age.

~~(l)~~(m) “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;

(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)~~(n) “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)~~(o) “Opium poppy” means the plant of the species *Papaver somniferum* L. except its seeds.

~~(o)~~(p) “Person” means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

~~(p)~~(q) “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.

(r) “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) “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. 3. K.S.A. 2022 Supp. 21-5703 is hereby amended to read as follows: 21-5703. (a) It shall be unlawful for any person to manufacture any controlled substance or controlled substance analog.

(b) Violation or attempted violation of subsection (a) is a:

(1) Drug severity level 2 felony, except as provided in subsections (b) (2) and (b)(3);

(2) drug severity level 1 felony if:

(A) The controlled substance is not methamphetamine, as defined by ~~subsection (d)(3) or (f)(1) of K.S.A. 65-4107(d)(3) or (f)(1), and amendments thereto, or an analog thereof; and~~

(B) *the controlled substance is not a fentanyl-related controlled substance; and*

(C) the offender has a prior conviction for unlawful manufacturing of a controlled substance under this section, K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or a substantially similar offense from another jurisdiction and the substance was not

methamphetamine, as defined by ~~subsection (d)(3) or (f)(1) of K.S.A. 65-4107(d)(3) or (f)(1)~~, and amendments thereto, or an analog thereof, in any such prior conviction; and

(3) drug severity level 1 felony if the controlled substance is methamphetamine, as defined by ~~subsection (d)(3) or (f)(1) of K.S.A. 65-4107(d)(3) or (f)(1)~~, and amendments thereto, or an analog thereof, *or is a fentanyl-related controlled substance*.

(c) The provisions of ~~subsection (d) of K.S.A. 2022 Supp. 21-5301(d)~~, and amendments thereto, shall not apply to a violation of attempting to unlawfully manufacture any controlled substance or controlled substance analog pursuant to this section.

(d) For persons arrested and charged under this section, bail shall be at least \$50,000 cash or surety, and such person shall not be released upon the person's own recognizance pursuant to K.S.A. 22-2802, and amendments thereto, unless the court determines, on the record, that the defendant is not likely to re-offend, the court imposes pretrial supervision, or the defendant agrees to participate in a licensed or certified drug treatment program.

(e) The sentence of a person who violates this section shall not be subject to statutory provisions for suspended sentence, community service work or probation.

(f) The sentence of a person who violates this section, K.S.A. 65-4159, prior to its repeal or K.S.A. 2010 Supp. 21-36a03, prior to its transfer, shall not be reduced because these sections prohibit conduct identical to that prohibited by K.S.A. 65-4161 or 65-4163, prior to their repeal, K.S.A. 2010 Supp. 21-36a05, prior to its transfer, or K.S.A. 2022 Supp. 21-5705, and amendments thereto.

Sec. 4. K.S.A. 2022 Supp. 21-5807 is hereby amended to read as follows: 21-5807. (a) Burglary is, without authority, entering into or remaining within any:

(1) (A) Dwelling, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein; or

(B) locked or secured portion of any dwelling, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein;

(2) (A) building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein; or

(B) locked or secured portion of any building, manufactured home, mobile home, tent or other structure which is not a dwelling, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein; or

(3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein.

(b) Aggravated burglary is, without authority, entering into or remaining within any:

(1) (A) Dwelling in which there is a human being, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein; or

(B) locked or secured portion of any dwelling in which there is a human being, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein;

(2) (A) building, manufactured home, mobile home, tent or other structure which is not a dwelling in which there is a human being, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein; or

(B) locked or secured portion of any building, manufactured home, mobile home, tent or other structure which is not a dwelling in which there is a human being, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein; or

(3) vehicle, aircraft, watercraft, railroad car or other means of conveyance of persons or property in which there is a human being, with intent to commit a felony, theft, *domestic battery*, *violation of a protection order* or sexually motivated crime therein.

(c) (1) Burglary as defined in:

(A) (i) Subsection (a)(1) is a severity level 7, person felony, except as provided in subsection (c)(1)(B);

(ii) subsection (a)(2) is a severity level 7, nonperson felony, except as provided in subsection (c)(1)(B); and

(iii) subsection (a)(3) is a severity level 9, nonperson felony, except as provided in subsection (c)(1)(B); and

(B) (i) subsection (a)(1), with intent to commit the theft of a firearm, is a severity level 5, person felony; and

(ii) subsection (a)(2) or (a)(3), with intent to commit the theft of a firearm, is a severity level 5, nonperson felony.

(2) Aggravated burglary as defined in:

(A) Subsection (b)(1) is a severity level 4, person felony; and

(B) subsection (b)(2) or (b)(3) is a severity level 5, person felony.

(d) As used in this section, “sexually motivated” means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant’s sexual gratification.

(e) This section shall not apply to any person entering into or remaining in a retail or commercial premises at any time that it is open to the

public after having received a personal communication from the owner or manager of such premises not to enter such premises pursuant to K.S.A. 2022 Supp. 21-5808, and amendments thereto, except when such person is entering into or remaining in such premises with the intent to commit a person felony or sexually motivated crime therein.

Sec. 5. K.S.A. 2022 Supp. 21-5904 is hereby amended to read as follows: 21-5904. (a) Interference with law enforcement is:

(1) Falsely reporting to a law enforcement officer, law enforcement agency or state investigative agency:

(A) That a particular person has committed a crime, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information;

(B) that a law enforcement officer has committed a crime or committed misconduct in the performance of such officer's duties, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information;

(C) any information, knowing that such information is false and intending to influence, impede or obstruct such officer's or agency's duty; or

(D) any information concerning the death, disappearance or potential death or disappearance of a child under the age of 13, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information;

(2) concealing, destroying or materially altering evidence with the intent to prevent or hinder the apprehension or prosecution of any person; ~~or~~

(3) knowingly obstructing, resisting or opposing any person authorized by law to serve process in the service or execution or in the attempt to serve or execute any writ, warrant, process or order of a court, or in the discharge of any official duty; *or*

(4) *knowingly fleeing from a law enforcement officer, other than fleeing by operation of a motor vehicle, when the law enforcement officer has:*

(A) *Reason to stop the person under K.S.A. 22-2402, and amendments thereto; and*

(B) *given the person visual or audible signal to stop.*

(b) Interference with law enforcement as defined in:

(1) Subsection (a)(1)(A) and (a)(1)(B) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(1)(B); and

(B) severity level 8, nonperson felony in the case of a felony;

(2) subsection (a)(1)(C) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b)(2)(B); and

(B) severity level 9, nonperson felony in the case of a felony;

(3) subsection (a)(1)(D) is a severity level 8, nonperson felony;

- (4) subsection (a)(2) is a:
 - (A) Class A nonperson misdemeanor, except as provided in subsection (b)(4)(B); and
 - (B) severity level 8, nonperson felony in the case of a felony; ~~and~~
- (5) subsection (a)(3) is a:
 - (A) Severity level 9, nonperson felony in the case of a felony, or resulting from parole or any authorized disposition for a felony; and
 - (B) class A nonperson misdemeanor in the case of a misdemeanor, or resulting from any authorized disposition for a misdemeanor, or a civil case; *and*
- (6) *subsection (a)(4) is a:*
 - (A) *Class A nonperson misdemeanor in the case of a misdemeanor, or resulting from any authorized disposition for a misdemeanor, or a civil case;*
 - (B) *severity level 7, nonperson felony in the case of a felony, or resulting from parole or any authorized disposition for a felony; and*
 - (C) *severity level 5, nonperson felony if the offender discharged or used a firearm while fleeing.*

Sec. 6. K.S.A. 2022 Supp. 21-6805 is hereby amended to read as follows: 21-6805. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for drug crimes. The following sentencing guidelines grid for drug crimes shall be applicable to felony crimes under K.S.A. 2022 Supp. 21-5701 through 21-5717, and amendments thereto, except as otherwise provided by law:

SENTENCING RANGE - DRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felonies	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felonies	2+ Misdemeanors	1 Misdemeanor No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	144 136 130	137 130 122	130 123 117	124 117 111	116 111 105	113 108 101	110 104 99	108 100 96	103 98 92
III	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
IV	51 49 46	47 44 41	42 40 37	36 34 32	32 30 28	26 24 22	21 20 20	18 17 17	16 15 14
V	42 40 37	36 34 32	32 30 28	26 24 23	22 20 18	18 17 16	16 15 14	14 13 12	12 11 10

LEGEND
Presumptive Probation
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for drug crimes in subsection (a) represent months of imprisonment.

(c) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure. The sentencing court shall not distinguish between the controlled substances cocaine base (9041L000) and cocaine hydrochloride (9041L005) when sentencing within the sentencing range of the grid block.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

- (A) Prison sentence;
- (B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the prison sentence as well as the duration of the nonprison sanction at the sentencing hearing.

(d) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 4-E, 4-F, 4-G, 4-H, 4-I, 5-C or 5-D, the court may impose an optional nonprison sentence as provided in ~~subsection (q) of K.S.A. 2022 Supp. 21-6804(q)~~, and amendments thereto.

(e) The sentence for a second or subsequent conviction for unlawful manufacturing of a controlled substance, K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, K.S.A. 2022 Supp. 21-5703, and amendments thereto, or a substantially similar offense from another jurisdiction, if the controlled substance in any prior conviction was methamphetamine, as defined by ~~subsection (d)(3) or (f)(1) of K.S.A. 65-4107(d)(3) or (f)(1)~~, and amendments thereto, or an analog thereof, shall be a presumptive term of imprisonment of two times the maximum duration of the presumptive term of imprisonment. The court may impose an optional reduction in such sentence of not to exceed 50% of the mandatory increase provided by this subsection upon making a finding on the record that one or more of the mitigating factors as specified in K.S.A. 2022 Supp. 21-6815, and amendments

thereto, justify such a reduction in sentence. Any decision made by the court regarding the reduction in such sentence shall not be considered a departure and shall not be subject to appeal.

(f) (1) The sentence for a third or subsequent felony conviction of K.S.A. 65-4160 or 65-4162, prior to their repeal, K.S.A. 2010 Supp. 21-36a06, prior to its transfer, or K.S.A. 2022 Supp. 21-5706, and amendments thereto, shall be a presumptive term of imprisonment and the defendant shall be sentenced to prison as provided by this section. The defendant's term of imprisonment shall be served in the custody of the secretary of corrections in a facility designated by the secretary. Subject to appropriations therefore, the defendant shall participate in an intensive substance abuse treatment program, of at least four months duration, selected by the secretary of corrections. If the secretary determines that substance abuse treatment resources are otherwise available, such term of imprisonment may be served in a facility designated by the secretary of corrections in the custody of the secretary of corrections to participate in an intensive substance abuse treatment program. The secretary's determination regarding the availability of treatment resources shall not be subject to review. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision.

(2) Such defendant's term of imprisonment shall not be subject to modification under paragraph (1) if:

(A) The defendant has previously completed a certified drug abuse treatment program, as provided in K.S.A. 75-52,144, and amendments thereto;

(B) has been discharged or refused to participate in a certified drug abuse treatment program, as provided in K.S.A. 75-52,144, and amendments thereto;

(C) has completed an intensive substance abuse treatment program under paragraph (1); or

(D) has been discharged or refused to participate in an intensive substance abuse treatment program under paragraph (1).

The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(g) (1) Except as provided further, if the trier of fact makes a finding that an offender carried a firearm to commit a drug felony, or in furtherance of a drug felony, possessed a firearm, in addition to the sentence imposed pursuant to K.S.A. 2022 Supp. 21-6801 through 21-6824, and amendments thereto, the offender shall be sentenced to:

(A) Except as provided in subsection (g)(1)(B), an additional 6 months' imprisonment; and

(B) if the trier of fact makes a finding that the firearm was discharged, an additional 18 months' imprisonment.

(2) The sentence imposed pursuant to subsection (g)(1) shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) The provisions of this subsection shall not apply to violations of K.S.A. 2022 Supp. 21-5706 or 21-5713, and amendments thereto.

(h) The sentence for a violation of K.S.A. 2022 Supp. 21-5703, and amendments thereto, with respect to material containing any quantity of a fentanyl-related controlled substance shall be presumed imprisonment and shall be two times the maximum duration of the presumptive term of imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(i) The sentence for a violation of K.S.A. 2022 Supp. 21-5703 or 21-5705, and amendments thereto, shall be presumed imprisonment and shall be two times the maximum duration of the presumptive term of imprisonment if the trier of fact makes a finding beyond a reasonable doubt that the controlled substance involved, because of its appearance or packaging, was likely to be attractive to minors. Such sentence shall not be considered a departure and shall not be subject to appeal.

Sec. 7. K.S.A. 75-702 is hereby amended to read as follows: 75-702.

(a) The attorney general shall appear for the state, and prosecute and defend any and all actions and proceedings, civil or criminal, in the Kansas supreme court, the Kansas court of appeals and in all federal courts, in which the state shall be interested or a party, and shall, when so appearing, control the state's prosecution or defense.

(b) The attorney general shall also, when required by the governor or either branch of the legislature, appear for the state and prosecute or defend, in any other court or before any officer, in any cause or matter, civil or criminal, in which this state may be a party or interested or when the constitutionality of any law of this state is at issue and when so directed shall seek final resolution of such issue in the supreme court of the state of Kansas.

(c) (1) The attorney general shall have authority to prosecute any matter related to a violation of K.S.A. 12-189 or 75-5133, and ~~amendment~~ amendments thereto, related to unlawful acts when the offender is an officer or employee of a city or county.

(2) Notwithstanding any provision of law to the contrary, the attorney general shall have concurrent authority with any county or district attorney to prosecute theft as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, a violation of the Kansas racketeer influenced and

corrupt organizations act, K.S.A. 2022 Supp. 21-6327 et seq., and amendments thereto, or an attempt, conspiracy or criminal solicitation as defined in K.S.A. 2022 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of such crimes that is part of an alleged course of criminal conduct that occurred in two or more counties.

Sec. 8. K.S.A. 75-702 and K.S.A. 2022 Supp. 21-5413, 21-5701, 21-5701b, 21-5703, 21-5807, 21-5904 and 21-6805 are hereby repealed.

Sec. 9. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 11, 2023.

CHAPTER 95

Senate Substitute for HOUSE BILL No. 2060

AN ACT concerning education; relating to postsecondary and postgraduate programs; authorizing payments from the state safety fund to community colleges for the provision of driver's education; increasing the number of osteopathic medical service scholarships; including obstetrics and gynecology in the medical student loan act and medical residency bridging program; increasing the number of loan agreements in the medical student loan act; establishing the OBGYN medical loan repayment fund and the OBGYN medical residency bridging fund; authorizing the provision of tools, supplies and examinations for participants in an AO-K career pathway program; including high school equivalency credentials in performance-based payments for postsecondary educational institutions; amending K.S.A. 8-272, 74-3265, 74-3268, 74-32,434, 76-381, 76-382, 76-383, 76-385, 76-386 and 76-387 and K.S.A. 2022 Supp. 74-32,267 and repealing the existing sections; also repealing K.S.A. 76-386a.

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

Section 1. K.S.A. 8-272 is hereby amended to read as follows: 8-272. (a) Any school district conducting an approved course in driver training and any student attending a nonpublic school accredited by the state board of education conducting an approved course in driver training and any student 19 years of age or under attending a community college conducting an approved course in driver training shall be entitled to participate in the state safety fund created by K.S.A. 8-267, and amendments thereto. In August of each year, the superintendent of each school district and the governing authority of each nonpublic school and community college shall report to the state board of education the number of students who have been in attendance for a complete driver training course conducted by such school district, nonpublic school or community college during the past school year. The state board of education shall certify to the director of accounts and reports the amount due each school district *or community college* and each student of a nonpublic school ~~or community college~~ entitled to payment under this subsection. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each school district *or community college* and to each student of a nonpublic school ~~or community college~~ entitled to payment under this subsection upon vouchers approved by the state board and shall cause such warrants to be delivered to the respective school districts, nonpublic schools and community colleges. If the amount appropriated in any year from the state safety fund is insufficient to pay the full amount each school district *or community college* and each student of a nonpublic school ~~or community college~~ is entitled to receive under this subsection, then the entire amount appropriated for such year shall be prorated among all school districts, *community colleges* and all students of nonpublic schools ~~and community colleges~~ in proportion to the amount each school district *or community college* and each student of a

nonpublic school or community college is entitled to receive. No moneys in the state safety fund shall be used for any purpose other than that specified in this subsection or for the support of driver improvement programs. The state board of education shall prescribe all forms necessary for reporting in connection with this act. The funds shall be distributed on or before November 1 each year.

(b) (1) Any school district conducting an approved course in motorcycle safety as a part of an approved course in driver training, any student attending a nonpublic school accredited by the state board of education conducting an approved course in motorcycle safety as a part of an approved course in driver training or any community college conducting an approved course in motorcycle safety shall be entitled to participate in the motorcycle safety fund created by K.S.A. 8-267, and amendments thereto. The state board of education may establish, by rules and regulations, standards for the conduct, operation and approval of courses in motorcycle safety and for the qualifications of instructors for such courses conducted by a school district or nonpublic accredited school. Such standards shall not include the requirement that instructors be licensed by the state board of education. In August of each year, the superintendent of each school district or the governing authority of each nonpublic school shall report to the state board of education the number of students who have been in attendance for a complete course in motorcycle safety as a part of the driver training course conducted by such school district or nonpublic school during the past school year. The state board of education shall certify to the director of accounts and reports the amount due each school district and each student of a nonpublic school entitled to payment under this subsection. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each school district and to each student of a nonpublic school entitled to payment under this subsection upon vouchers approved by the state board and shall cause such warrants to be delivered to the respective school districts and nonpublic schools. If the amount appropriated in any year from the motorcycle safety fund shall be insufficient to pay the full amount each school district and each student of a nonpublic school is entitled to receive under this subsection, then the entire amount appropriated for such year shall be prorated among all school districts and all students of nonpublic schools in proportion to the amount each school district and each student of a nonpublic school is entitled to receive. No moneys in the motorcycle safety fund shall be used for any purpose other than that specified in this subsection or for the support of motorcycle driver improvement programs. The state board of education shall prescribe all forms necessary for reporting in connection with this act. The funds shall be distributed on or before November 1 each year.

(2) Any community college conducting an approved course in motorcycle safety shall be entitled to participate in the motorcycle safety fund created by K.S.A. 8-267, and amendments thereto. The department of revenue may establish, by rules and regulations or by public declaration of the director of vehicles, standards for the conduct, operation and approval of courses in motorcycle safety and for the qualifications of instructors for such courses conducted by a community college. In August of each year, the chief administrative officer of each community college shall report to the state board of regents and the department the number of students who have been in attendance for a complete course in motorcycle safety as a part of the driver training course conducted by such community college during the past school year. The state board of regents shall certify to the director of accounts and reports the amount due each community college entitled to payment under this subsection. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each community college entitled to payment under this subsection upon vouchers approved by the state board of regents and shall cause such warrants to be delivered to the respective community colleges. If the amount appropriated in any year from the motorcycle safety fund shall be insufficient to pay the full amount each community college is entitled to receive under this subsection, then the entire amount appropriated for such year shall be prorated among all community colleges in proportion to the amount each community college is entitled to receive. No moneys in the motorcycle safety fund shall be used for any purpose other than that specified in this subsection or for the support of motorcycle driver improvement programs or department administration. The department, in consultation with the state board of regents, shall prescribe all forms necessary for reporting in connection with this act. The funds shall be distributed on or before November 1 each year.

(c) (1) As used in this subsection, “institution” means a technical school affiliated with a public university in this state, a technical college or community college.

(2) Any institution conducting an approved course in truck driving shall be entitled to participate in the truck driver training fund created by K.S.A. 8-267, and amendments thereto. The department may establish, by rules and regulations or by public declaration of the director of vehicles, standards for the conduct, operation and approval of courses in truck driver training and for the qualifications of instructors for such courses. Such standards shall not include the requirement that instructors be certificated by the state board of regents. Courses in truck driver training for an interstate commercial class license shall also comply with the Kansas uniform commercial drivers’ license act. In August of each year, the chief administrative officer of each participating institution shall report to the

state board of regents and the department the number of students who have been in attendance for a complete course in truck driver training conducted by such institution during the past school year. The state board of regents shall certify to the director of accounts and reports the amount due each institution entitled to payment under this subsection. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each institution entitled to payment under this subsection upon vouchers approved by the state board of regents and shall cause such warrants to be delivered to the respective institution. If the amount appropriated in any year from the truck driver training fund shall be insufficient to pay the full amount each institution is entitled to receive under this subsection, then the entire amount appropriated for such year shall be prorated among all participating institutions in proportion to the amount each institution is entitled to receive. No moneys in the truck driver training fund shall be used for any purpose other than that specified in this subsection or for the support of truck driver training programs and department administration. The department, in consultation with the state board of regents, shall prescribe all forms necessary for reporting in connection with this act. The funds shall be distributed on or before November 1 each year.

Sec. 2. On and after July 1, 2023, K.S.A. 74-3265 is hereby amended to read as follows: 74-3265. (a) Within the limits of appropriations for osteopathic medical service scholarships, and in accordance with the provisions of this section, the state board of regents may award such scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited *or pre-accredited* schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy and who enter into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto.

(b) Osteopathic medical service scholarships shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the scholarship the payment of an amount not to exceed the maximum amount of a loan authorized to be made under the medical student loan act.

(c) Osteopathic medical service scholarships shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited *or pre-accredited* school of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy may be awarded a scholarship for each year the student enters into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto, up to a maximum of four years. For each year a student is awarded a scholarship,

the student shall engage in the practice of medicine and surgery in Kansas for the period of time specified in ~~subsection (a)(3)~~ of K.S.A. 74-3266(a)(3), and amendments thereto, unless such obligation is otherwise satisfied as provided in K.S.A. 74-3268, and amendments thereto.

(d) The state board of regents shall not award more than ~~15~~ 25 osteopathic medical service scholarships in any year to persons who have not previously been awarded such a scholarship and, in any case, the state board shall not award more than ~~60~~ 80 such scholarships in any year. In selecting Kansas residents to be awarded osteopathic medical service scholarships, the state board shall give primary consideration to students commencing their first year of instruction at accredited *or pre-accredited* schools of osteopathic medicine and thereafter shall consider students in later years of instruction.

Sec. 3. On and after July 1, 2023, K.S.A. 74-3268 is hereby amended to read as follows: 74-3268. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed *during any period of time*: (1) ~~During any~~ Of required period of active military service; (2) ~~during any period~~ of service as a part of volunteers in service to America (VISTA); (3) ~~during any period~~ of service in the peace corps; (4) ~~during any period~~ of service commitment to the United States public health service; (5) ~~during any period~~ of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on December 31, 2000; (6) ~~during any period of time~~ the person obligated is engaged solely in the teaching of medicine; (7) ~~during any period of time~~ the person obligated is engaged solely in medical research; (8) ~~during any period of time~~ the person obligated is unable because of temporary medical disability to practice medicine and surgery; (9) ~~during any period of time~~ the person obligated is on job-protected leave under the federal family and medical leave act of 1993; ~~or~~ (10) ~~during any period of time~~ the state board of regents determines that the person obligated is unable because of special circumstances to practice medicine and surgery; *or (11) not longer than one year during which the person participates in a healthcare-related fellowship program.*

(b) Except for ~~clauses~~ subsection (a)(8), (9) and (10), an obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause~~ subsection (a)(8) during the period of time the medical disability exists. An obligation to engage in the practice

of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(9)~~ during the period of time the person obligated remains on FMLA leave. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(10)~~ during the period of time the state board of regents determines that the special circumstances exist. The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to practice medicine and surgery, and shall determine the documentation required to prove the existence of such circumstances.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery has been completed in accordance with the agreement; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery; (4) if the person obligated fails to satisfy the requirements for a degree of doctor of osteopathy after making the best effort possible to obtain such degree; or (5) if the person obligated fails to satisfy all requirements for a permanent license to practice medicine and surgery in Kansas or any other jurisdiction or has been denied a license after the person has applied for a license and has made the best effort possible to obtain a license.

Sec. 4. On and after July 1, 2023, K.S.A. 2022 Supp. 74-32,267 is hereby amended to read as follows: 74-32,267. (a) There is hereby established the AO-K to work program. The provisions of this program shall apply to all adult education programs in the state.

(b) As used in this section:

(1) “AO-K” or “accelerating opportunity: Kansas” means a career pathways program model that assists students in obtaining a high school equivalency, becoming ready for transferable college-level courses and earning an industry credential.

(2) “Career readiness assessment” means an assessment approved by the state board of regents to measure foundational skills required for success in the workplace and workplace skills that affect job performance.

(3) “Career readiness certificate” means a certificate that uses a career readiness assessment approved by the state board of regents to document an individual’s skills in applied math, graphic literacy and workplace documents.

(4) “Community college” means a community college as defined in K.S.A. 71-701, and amendments thereto.

(5) “Industry recognized credential” means a credential recognized by multiple employers across an industry as determined by the state board of regents.

(6) “Kansas adult education program” means any educational institution or approved agency that receives adult education funding through the state board of regents; provides adult education or English language acquisition programs; serves Kansas adults aged 16 and over who are in need of basic skills for the workforce, community participation and family life; and prepares adults for achieving industry recognized credentials and college certificates and degrees.

(7) “Qualified student” means an individual who has:

- (A) Attained the age of 21 *years*;
- (B) not been awarded a high school diploma;
- (C) been accepted into a Kansas adult education program;
- (D) demonstrated high school equivalency by meeting the criteria established by the state board of regents pursuant to this section; and
- (E) declared an AO-K career pathway interest.

(8) “Technical college” means a technical college as such term is defined in K.S.A. 71-1802, and amendments thereto.

~~(c)(1)~~ The state board of regents shall award a Kansas high school equivalency credential to any qualified student who:

~~(A)(1)~~ Is recommended and approved to participate in a AO-K career pathway approved by the state board of regents for college credit;

~~(B)(2)~~ successfully completes an approved AO-K career pathway and receives the industry-recognized credential appropriate to the completed pathway;

~~(C)(3)~~ takes a career readiness assessment and earns a career readiness certificate at a level approved by the state board of regents; and

~~(D)(4)~~ satisfies any other requirements deemed necessary by the state board of regents.

(d) (1) While participating in the AO-K to work program, qualified students shall be provided reasonable access to all available student resources of the adult education program, the participating technical or community college and the appropriate community partners, including, but not limited to, appropriate academic support, barrier mitigation ~~and~~, employment or career assistance, *books, tools and personal materials required to participate in an AO-K career pathway program and industry examinations.*

(2) *Subject to appropriations, financial assistance for books, tools, personal materials and industry examinations shall be the aggregate amount of the cost of books, tools, personal materials and industry examinations for the career pathway program at the technical college or community college where such student is enrolled and receiving assistance minus the*

aggregate amount of all other aid awarded to such student. The amount of financial assistance provided for each student shall not exceed \$500.

(e) Each application to the state board of regents for issuance or duplication of a Kansas high school equivalency credential shall be accompanied by a fee, which shall be established by the state board of regents in an amount of not more than \$25. On or before June 1 of each year, the state board of regents shall determine the amount of revenue that will be required to properly administer the provisions of this section during the next ensuing fiscal year and shall establish the Kansas high school equivalency credentials processing fee for such year in the amount deemed necessary for such purposes. Such fee shall become effective on the succeeding July 1 of each year. The state board of regents shall remit all moneys received by or for it from Kansas high school equivalency credentials processing fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas high school equivalency credential processing fees fund, which fund is hereby established in the state treasury, and shall be used only for the payment of expenses connected with the processing, issuance, or duplication of Kansas high school equivalency credentials, and for the keeping of records by the state board of regents. All expenditures from the Kansas high school equivalency credential processing fees 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 state board of regents or by a person or persons designated by the state board.

(f) The state board of regents may adopt rules and regulations to implement and administer the provisions of this act.

Sec. 5. On and after July 1, 2023, K.S.A. 74-32,434 is hereby amended to read as follows: 74-32,434. (a) (1) Any eligible postsecondary educational institution may certify to the board of regents:

(A) The number of individuals who received a general educational development (GED) or high school equivalency (HSE) credential from such institution while enrolled in an eligible career technical education program;

(B) the number of individuals who received a career technical education credential from such institution; and

(C) the number of individuals who were enrolled in an eligible career technical education program at such institution and who are pursuing a general educational development (GED) or high school equivalency (HSE) credential.

(2) Certifications submitted pursuant to this subsection shall be submitted in such form and manner as prescribed by the board of regents;

and shall include such other information as required by the board of regents.

(b) Each fiscal year, upon receipt of a certification submitted under subsection (a), the board of regents shall authorize payment to such eligible postsecondary educational institution from the postsecondary education performance-based incentives fund. The amount of any such payment shall be calculated based on the following:

(1) For each individual who has received a general educational development (GED) or high school equivalency (HSE) credential, \$500;

(2) for each individual who has received a career technical education credential, \$1,000; and

(3) for each individual enrolled in an eligible career technical education program who is pursuing a general educational development (GED) or high school equivalency (HSE) credential, \$170.

(c) That portion of any payment from the postsecondary education performance-based incentives fund that is made based on subsection (b) (2) shall be expended for scholarships for individuals enrolled in an eligible career technical education program and operating costs of eligible career technical education programs. Each eligible postsecondary educational institution shall prepare and submit a report to the board of regents ~~which shall include~~ that includes the number of individuals who received scholarships, the aggregate amount of moneys expended for such scholarships and the number of those individuals who received a scholarship that also received a career technical education credential.

(d) (1) Of that portion of any payment from the postsecondary education performance-based incentives fund that is made based on subsection (b)(3), an amount equal to \$150 for each individual shall be expended by the eligible postsecondary educational institution for the general educational development (GED) test.

(2) If any individual enrolled in an eligible career technical education program for which an eligible postsecondary educational institution has received a payment under this section fails to take the general educational development (GED) test, then such institution shall notify the board of regents in writing that no such test was administered to the individual. For each such notification received, the board of regents shall deduct an amount equal to \$150 from such institution's subsequent incentive payment.

(e) All payments authorized by the board of regents pursuant to this section shall be subject to the limits of appropriations made for such purposes. If there are insufficient appropriations for the board of regents to authorize payments in accordance with the amounts set forth in subsection (b), the board of regents shall prorate such amounts in accordance with appropriations made therefor.

(f) There is hereby created the postsecondary education performance-based incentives fund. Expenditures from the postsecondary education performance-based incentives fund shall be for the sole purpose of paying payments to eligible postsecondary educational institutions as authorized by the board of regents. All expenditures from the postsecondary education performance-based incentives 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 of regents, or the president's designee.

(g) As used in this section:

(1) "Board of regents" means the state board of regents provided for in the constitution of this state and established by K.S.A. 74-3202a, and amendments thereto.

(2) "Career technical education credential" means any industry-recognized technical certification or credential, other than a general educational development (GED) or *high school equivalency (HSE)* credential, or any technical certification or credential authorized by a state agency.

(3) "Eligible career technical education program" means a program operated by one or more eligible postsecondary educational institutions that is identified by the board of regents as a program that allows an enrollee to obtain a general educational development (GED) or *high school equivalency (HSE)* credential while pursuing a career technical education credential.

(4) "Eligible postsecondary educational institution" means any community college, technical college or the institute of technology at Washburn university.

(5) "State agency" means any state office, department, board, commission, institution, bureau or any other state authority.

Sec. 6. On and after July 1, 2023, K.S.A. 76-381 is hereby amended to read as follows: 76-381. As used in K.S.A. 76-380 through 76-386, and amendments thereto:

(a) "Act" means the medical student loan act;

(b) "approved postgraduate residency training program" means a residency training program in general pediatrics, general internal medicine, family medicine, family practice, emergency medicine, *obstetrics and gynecology*, general psychiatry, child psychiatry or fellowship training in geriatric medicine;

(c) "service commitment area" means: (1) Any community within any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county; (2) any state medical care facility or institution; (3) any medical center operated by the veterans administration of the United States; (4) ~~the full-time faculty of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry~~ *if serving as full-time faculty as provided in K.S.A. 76-384(c)*,

and amendments thereto; or (5) any community within Wyandotte county for purposes of any practice obligation under an agreement entered into by a person who is enrolled for the first time after July 1, 2004, in a course of study leading to the medical degree; and

(d) “state medical care facility or institution” includes, but is not limited to, the Kansas state school for the ~~visually handicapped~~ *blind*, the Kansas state school for the deaf, any institution under the secretary for aging and disability services, as defined by *in* K.S.A. 76-12a01, and amendments thereto, any institution under the commissioner of juvenile justice as defined by *in* K.S.A. 38-2302, and amendments thereto, the Kansas soldiers’ home, the Kansas veterans’ home and any correctional institution under the secretary of corrections, as defined by *in* K.S.A. 75-5202, and amendments thereto, but shall not include any state educational institution under the state board of regents, as defined by *in* K.S.A. 76-711, and amendments thereto, except as specifically provided by statute.

Sec. 7. On and after July 1, 2023, K.S.A. 76-382 is hereby amended to read as follows: 76-382. (a) There is hereby established the medical student loan program at the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may make medical student loans in accordance with the provisions of ~~this~~ *the medical student loan* act to undergraduate students enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine who enter into a written medical student loan agreement with the university of Kansas school of medicine in accordance with K.S.A. 76-383, and amendments thereto.

(c) Each medical student loan agreement under ~~this~~ *the medical student loan* act shall provide to the person receiving the loan the payment of all tuition and a stipend for living expenses in an amount of up to \$2,000 per month for each month enrolled in such school during a year. Subject to the maximum amount, the amount of the monthly stipend shall be determined on an annual basis by the student receiving the loan.

(d) Subject to the provisions of appropriation acts, medical student loan agreements under ~~this~~ *the medical student loan* act may be entered into on an annual basis and shall provide the payment of the amounts specified under subsection (c) for one year unless otherwise terminated before such period of time. Subject to the provisions of appropriation acts, an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine may receive a separate loan under ~~this~~ *the medical student loan* act for each separate year the student enters into a written medical student loan agreement with the university of Kansas school of medicine in accordance with K.S.A. 76-383, and amendments thereto.

Loans may be awarded retroactively for any academic year that a student has completed successfully at the university of Kansas medical school; but for which a loan had not previously been awarded. Retroactive loans shall be in an amount equal to the amount of tuition paid by the student, plus a stipend in an amount not to exceed the maximum amount of the stipend for such academic year multiplied by the number of months for which the student was enrolled at the medical school during such year. For each separate year a student receives a loan under ~~this~~ *the medical student loan act*, the student shall engage in the full-time practice of medicine and surgery in an appropriate service commitment area for a period of 12 months unless such obligation is otherwise satisfied as provided in K.S.A. 76-386, and amendments thereto.

(e) Medical student loans shall be awarded on a priority basis as follows: First, to qualified applicants who are Kansas residents at the time of entry into the university of Kansas school of medicine; and second, to qualified applicants who are not Kansas residents at the time of entry into the university of Kansas school of medicine. As used in this subsection, “Kansas residents” means persons who meet the residence requirements established in K.S.A. 76-729, and amendments thereto.

(f) Subject to appropriations, the university of Kansas school of medicine shall enter into medical student loan agreements with ~~six up to 12~~ individuals who commit to satisfy obligations to engage in the full-time practice of medicine and surgery in a service commitment area by:

(1) Serving as a full-time faculty member of the university of Kansas school of medicine in general psychiatry or child psychiatry pursuant to K.S.A. 76-384(c), and amendments thereto; or

(2) performing at least 100 hours per month of on-site mental ~~health care~~ *healthcare* pursuant to K.S.A. 76-384(d), and amendments thereto.

(g) *For any student who has entered into a medical student loan agreement pursuant to the medical student loan act, the university of Kansas school of medicine shall not prohibit or otherwise create any substantial impediment to such student switching between approved postgraduate residency training programs.*

Sec. 8. On and after July 1, 2023, K.S.A. 76-383 is hereby amended to read as follows: 76-383. A medical student loan agreement entered into by the university of Kansas school of medicine and an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine for the purpose of receiving a medical student loan under this act shall require that the person receiving the loan:

(a) Complete the required course of instruction and receive the degree of doctor of medicine and apply for, enter and complete an approved postgraduate residency training program;

(b) apply for and obtain a license to practice medicine and surgery in Kansas;

(c) *except as otherwise provided in K.S.A. 76-384, and amendments thereto*, engage in the full-time practice of medicine and surgery for a period of 12 months within a service commitment area, ~~except as otherwise provided in K.S.A. 76-384(e), and amendments thereto, for service as a full-time faculty member of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry;~~

(d) commence such full-time practice of medicine and surgery within nine months after completion of an approved postgraduate residency training program and licensure in a service commitment area and continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement;

(e) agree that the service commitment for each agreement entered into under this act is in addition to the service commitment contained in any other agreement ~~which~~ *that* has been or may be entered into under this act for the purpose of obtaining a medical student loan or under other agreements for the purpose of obtaining scholarship aid;

(f) maintain records and make reports to the university of Kansas school of medicine to document the satisfaction of the obligation under such agreement to engage in the full-time practice of medicine and surgery within a service commitment area and to continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement; and

(g) upon failure to satisfy an agreement to engage in the full-time practice of medicine and surgery within a service commitment area for the required period of time under any such agreement, the person receiving a medical student loan under this act shall repay amounts to the university of Kansas school of medicine as provided in K.S.A. 76-385, and amendments thereto.

Sec. 9. On and after July 1, 2023, K.S.A. 76-385 is hereby amended to read as follows: 76-385. (a) (1) Except as otherwise provided in paragraphs (2), (3), (4) ~~and (5)~~ *through* (6) or in K.S.A. 76-386, and amendments thereto, upon the failure of any person to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time under any medical student loan agreement entered into under this act, such person shall repay to the university of Kansas school of medicine in accordance with subsection (b) an amount equal to the total of: (A) The amount of money received by such person pursuant to such agreement, or the amount of money determined under rules and regulations of the universi-

ty of Kansas; plus (B) annual interest at a rate of 15% from the date such money was received.

(2) Any person who fails to apply for and enter an approved postgraduate residency training program shall be required to repay all moneys received pursuant to an agreement entered into for any such medical student loan, plus accumulated interest at an annual rate of 15% and shall commence such repayment in accordance with subsection (b) within 90 days of graduation from the school of medicine or upon termination or completion of a residency training program ~~which~~ *that* does not comply with the provisions of this act, whichever is later.

(3) If at any time a person is failing to satisfy an obligation to engage in the full-time practice of medicine and surgery in Kansas for the required period of time under an agreement entered into under this act because such person is engaged in the full-time practice of medicine and surgery in a state other than Kansas, or within Kansas in an area that is not a service commitment area or in the practice of medicine and surgery which does not otherwise comply with the agreement entered into under this act, and if such person is subject to or currently making repayments under this section and if such person subsequently commences the practice of medicine and surgery in this state which is in a service commitment area or which otherwise complies with the agreement entered into under this act, the balance of the repayment amount, including interest thereon, from the time of such commencement of practice until the obligation of such person is satisfied, or until the time such person again becomes subject to repayments, shall be waived. All repayment amounts due prior to such commencement of practice, including interest thereon, shall continue to be payable as provided in this section. If subsequent to such commencement of practice, the person fails to satisfy such obligation, the person again shall be subject to repayments, including interest thereon, as otherwise provided in this section.

(4) If, during the time a person is satisfying the service requirement of an agreement entered into under this act, such person desires to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state and remain in satisfaction of such service requirement, such person may make application to the chancellor of the university of Kansas or the designee of the chancellor for permission to engage in less than such full-time practice of medicine and surgery. Upon a finding of exceptional circumstances made by the chancellor of the university of Kansas, or the designee of the chancellor, such person may be authorized to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state for the remaining required period of time under such agreement and for an additional period of time which shall be equal to the length of the originally required period of time multi-

plied by the decimal fraction which is equal to the reduction of the full-time practice of medicine and surgery to be authorized hereunder, multiplied by two. In any such determination of the period required to be engaged in the less than full-time practice of medicine and surgery, the decimal fraction utilized shall not exceed 0.5 and any person granted permission to engage in less than the full-time practice of medicine and surgery in accordance with the provisions of this paragraph shall be required to engage in at least the half-time practice of medicine and surgery.

(5) Any person who enters but fails to complete an approved postgraduate residency training program, or who enters and completes an approved postgraduate residency training program but fails to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time shall be required to repay all money received pursuant to an agreement entered into under this act *a for any such* medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b) within 90 days of failure to complete an approved postgraduate residency training program or 90 days of failure to commence qualifying practice, whichever occurs first. *Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.*

(6) *For any person who entered and completed an approved postgraduate residency training program in obstetrics and gynecology, if during the time such person is satisfying the service requirement of an agreement entered into pursuant to this act, such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, such person shall be deemed to have failed to complete such person's service requirement and shall be required to repay all money received pursuant to an agreement entered into under this act for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b).*

(b) For any repayment requirement under this section, the person shall repay an amount totaling the entire amount to be repaid under all such agreements for which such obligations are not satisfied, including all amounts of interest at the rate prescribed. The repayment shall be made in not more than 10 equal annual installment payments.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreements, as determined by the university of Kansas school of medicine based upon the circumstances of each individual case. In all cases, if an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all amounts of interest at the rate prescribed.

(d) The total repayment obligation imposed under all agreements entered into under this act may be satisfied by the person who entered into the agreements at any time prior to graduation from the university of Kansas school of medicine by making a single lump-sum payment equal to the total of: (1) The entire amount to be repaid under all such agreements upon failure to satisfy the obligations under such agreements to practice in Kansas; plus (2) all amounts of interest thereon at the rate prescribed to the date of payment.

(e) The university of Kansas school of medicine shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the medical loan repayment fund.

(f) There is hereby created in the state treasury the medical loan repayment fund. All expenditures from the medical loan repayment fund shall be for medical student loans under the medical student loan act and for the expenses of administration of the medical student loan act and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or by a person designated by the chancellor, except that expenditures shall not be made from the medical loan repayment fund for medical student loans for *medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology, general psychiatry or child psychiatry*. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the medical scholarship and loan repayment fund to the medical loan repayment fund. On the effective date of this act, all liabilities of the medical scholarship and loan repayment fund are hereby imposed on the medical loan repayment fund and the medical scholarship and loan repayment fund is hereby abolished. Whenever the medical scholarship and loan repayment fund, or words of like effect, is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the medical loan repayment fund.

(g) There is hereby established in the state treasury the psychiatry medical loan repayment fund. All moneys credited to the psychiatry medical loan repayment fund shall be expended only for medical student loans

for general psychiatry or child psychiatry students under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the psychiatry medical loan repayment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

(h) *There is hereby established in the state treasury the OBGYN medical loan repayment fund. All moneys credited to the OBGYN medical loan repayment fund shall be expended only for medical student loans for medical students who intend to enter and complete an approved post-graduate residency training program in obstetrics and gynecology under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the OBGYN medical loan repayment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.*

(i) Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents to the medical loan repayment fund, *the OBGYN medical loan repayment fund* or the psychiatry medical loan repayment fund or expended for any purposes related thereto.

Sec. 10. On and after July 1, 2023, K.S.A. 76-386 is hereby amended to read as follows: 76-386. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed *during any period of time for:* (1) ~~During any~~ Required period of active military service of the person obligated or such person's spouse; (2) ~~during any period of~~ service as a part of volunteers in service to America (VISTA); (3) ~~during any period of~~ service in the peace corps; (4) ~~during any period of~~ service commitment to the United States public health service; (5) ~~during any period of~~ religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986; ~~or~~ (6) ~~during any period of~~ temporary medical disability during which the person obligated is unable because of such medical disability to practice medicine and surgery; or (7) *not more than one year during which the person participates in a healthcare-related fellowship program.*

(b) ~~Except for clause (6) of this subsection (a)(6),~~ an obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of

medicine and surgery in accordance with an agreement under this act shall be postponed under ~~clause (6) of this subsection (a)(6)~~ during the period of time the medical disability exists.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.

Sec. 11. On and after July 1, 2023, K.S.A. 76-387 is hereby amended to read as follows: 76-387. (a) (1) There is hereby established the Kansas medical residency bridging program at the university of Kansas school of medicine, which shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons in ~~primary care or mental health care~~ to:

(A) *Enter and complete medical* residency training programs in general pediatrics, general internal medicine, family medicine, family practice, *obstetrics and gynecology*, general psychiatry or child psychiatry that are operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ *medical* residency training program that is operated in Kansas and approved by the state board of healing arts; and ~~a person under subsection (i) to~~

(B) locate their medical practice in rural Kansas communities upon completion of such residency training.

(2) The Kansas medical residency bridging program shall be administered by the institute for rural health care of the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may enter into residency bridging loan agreements, ~~in accordance with the provisions of this section:~~ (A) with any person who has completed the first year of a ~~primary care or mental health care~~ *medical* residency training program in general pediatrics, general internal medicine, family medicine, family practice, *obstetrics and gynecology*, general psychiatry or child psychiatry that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ *medical* residency training program that is operated in Kansas and approved by the state board of healing arts; and (B) ~~with a person under subsection (i).~~

(c) Subject to the provisions of appropriation acts, each person entering into a residency bridging loan agreement under this section shall receive a payment of \$5,000 each year of ~~primary care or mental health care~~ *medical* residency training, or any part of a year of such training, after the date that the residency bridging loan agreement is entered into

by the resident and the university of Kansas school of medicine and, upon completion of the ~~primary care or mental health care~~ *medical* residency training program, a payment of \$6,000.

(d) Each residency bridging loan agreement shall require that the person receiving the loan:

(1) Complete the ~~primary care or mental health care~~ *medical* residency training program;

(2) engage in the full-time practice of medicine and surgery in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte for three years under a practice commitment agreement;

(3) commence such full-time practice of medicine and surgery within 90 days after completing the ~~primary care or mental health care~~ *medical* residency training program; and

(4) upon failure to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with the provisions of the residency bridging loan agreement and this section, the person receiving the loan under this section shall repay to the university of Kansas school of medicine, within 90 days of such failure, the amount equal to the amount of ~~money~~ *moneys* received by such person from the university of Kansas school of medicine, less credits earned, under such agreement plus interest at the annual rate of 15% from the date such ~~money~~ *moneys* were received. *Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.*

(e) An obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be postponed during: (1) Any period of temporary medical disability during which the person obligated is unable to practice medicine and surgery because of such medical disability; (2) *any period of not more than one year during which the person participates in a healthcare-related fellowship program;* (3) *any required period of active military service of the person obligated or such person's spouse;* or ~~(2)~~ (4) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice commitment agreement.

(f) *Except as otherwise provided in subsection (g),* an obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with such agreement has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.

(g) *For any person who completed a medical residency training program in obstetrics and gynecology pursuant to this section, such person's obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be deemed to not be satisfied if such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, at any time in which such person is obligated to satisfy the provisions of such person's loan agreement made pursuant to this section.*

(h) The university of Kansas school of medicine may adopt additional provisions, requirements or conditions for participation in the Kansas medical residency bridging program as are practicable and appropriate to accomplish the purposes of the program or as may be required for the implementation or administration of the program and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

~~(h)(i)~~ (i) As used in this section, "practice commitment agreement" means an agreement to commence the full-time practice of medicine and surgery in a city located in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county, that:

(1) Was entered into: ~~(A)~~ by a person in a ~~primary care or mental health care~~ medical residency training program in general pediatrics, general internal medicine, family medicine, family practice, *obstetrics and gynecology*, general psychiatry or child psychiatry, that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; ~~or (B)~~ by a person under subsection (i), with the city where such practice is to commence or another contracting entity other than the university of Kansas school of medicine that is representative of the interests of such city; and

(2) provides benefits to such person that have an aggregate monetary value equal to or greater than the aggregate amount of payments to such person from the university of Kansas school of medicine under a residency bridging loan agreement under this section.

~~(i)~~ A person who graduated from the university of Kansas school of medicine prior to July 1, 1992, who has completed the first year of a primary care residency training program in family practice which is operated outside the state of Kansas and who has entered into a practice commitment agreement with the north central Kansas health care foundation is eligible to enter into a residency bridging loan agreement under this section.

(j) Notwithstanding any other provision of law to the contrary, no moneys appropriated for the Kansas medical residency bridging program at the university of Kansas school of medicine, except moneys appropriated to the *OBGYN medical residency bridging fund* or the rural health bridging psychiatry fund, shall be expended for residency bridging loan agreements for medical residents training in *obstetrics and gynecology*, general psychiatry or child psychiatry.

(k) Subject to appropriations, the university of Kansas school of medicine shall enter into residency bridging loan agreements with three medical residents training in general psychiatry or child psychiatry.

(l) There is hereby established in the state treasury the rural health bridging psychiatry fund. All moneys credited to the rural health bridging psychiatry fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in general psychiatry or child psychiatry pursuant to ~~K.S.A. 76-387~~, and amendments thereto *this section*. All expenditures from the rural health bridging psychiatry fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

(m) *There is hereby established in the state treasury the OBGYN medical residency bridging fund. All moneys credited to the OBGYN medical residency bridging fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in obstetrics and gynecology pursuant to this section. All expenditures from the OBGYN medical residency bridging fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.*

(n) Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents to the rural health bridging psychiatry fund or the *OBGYN medical residency bridging fund* or expended for any purposes related to the Kansas medical residency bridging program.

Sec. 12. K.S.A. 8-272 is hereby repealed.

Sec. 13. On and after July 1, 2023, K.S.A. 74-3265, 74-3268, 74-32,434, 76-381, 76-382, 76-383, 76-385, 76-386, 76-386a and 76-387 and K.S.A. 2022 Supp. 74-32,267 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved May 12, 2023.

Published in the *Kansas Register* May 25, 2023.

CHAPTER 96

HOUSE BILL No. 2021

AN ACT concerning children and minors; relating to risk and needs assessment for certain children in need of care; requiring the secretary of corrections to provide assessments and certain services for juveniles in detention; changing the criteria used to refer and admit juveniles to juvenile crisis intervention centers; defining behavioral health crisis; allowing for overall case length limit extensions for certain juvenile offenders; requiring the department of corrections to create juvenile justice data systems; increasing use of evidence-based programs account money; authorizing detention sanctions for probation violations; amending K.S.A. 38-2202, 38-2203, 38-2231, 38-2243, 38-2302, 38-2304, 38-2330, 38-2391, 38-2392, 65-536, 75-52,162 and 75-52,164 and repealing the existing sections.

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

New Section 1. (a) On or before October 1, 2023, the secretary for children and families shall identify an evidence-based risk and needs assessment to administer to children who have been identified as exhibiting behavior that could lead to juvenile offender charges related to physical violence, aggression, damage to property or use of life-threatening drugs during the course of a child in need of care proceeding.

(b) The secretary for children and families shall administer the assessment described in subsection (a) and shall collaborate with the secretary of corrections to allow children identified pursuant to subsection (a) to participate in evidence-based community programs offered pursuant to K.S.A. 75-52,164, and amendments thereto.

(c) The results of an assessment administered pursuant to this section shall be considered a part of the official file described in K.S.A. 38-2209, and amendments thereto, and shall not be admitted into evidence during the course of a proceeding under the revised Kansas juvenile justice code.

(d) On or before January 1, 2024, the secretary for children and families shall report on the implementation of this section and provide the assessment identified in subsection (a) to the joint committee on corrections and juvenile justice oversight.

New Sec. 2. (a) The secretary of corrections shall ensure that, when a juvenile is placed in detention, the juvenile shall:

(1) Receive a standardized risk and needs assessment within 72 hours or, if a standardized risk and needs assessment has been conducted on the juvenile, have the appropriate updates made to such assessment within 72 hours;

(2) receive an updated or completed case plan within 48 hours after the standardized risk and needs assessment has been conducted or updated; and

(3) have access to behavioral health services, mental health services and substance use treatment disorder services while in detention.

(b) The secretary of corrections shall coordinate with court services, community corrections and juvenile detention centers to provide the services required by this section in a timely manner. If the juvenile is in the custody of the secretary for children and families, the secretary of corrections shall coordinate with the secretary for children and families when providing such services. The cost of the assessments conducted or the services provided pursuant to subsection (a) may be assessed to the department of corrections.

(c) The secretary of corrections shall collect data related to the assessments conducted and the services provided pursuant to this section and shall report findings to the joint committee on corrections and juvenile justice on or before July 1 of each year.

Sec. 3. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) “Abandon” or “abandonment” means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) “Adult correction facility” means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal offenders.

(c) “Aggravated circumstances” means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) “Child in need of care” means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child’s parents or other custodian;

(2) is without the care or control necessary for the child’s physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, K.S.A. 74-8810(j), K.S.A. 79-3321(m) or (n), or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) “Extended out of home placement” means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child’s home.

(j) “Educational institution” means all schools at the elementary and secondary levels.

(k) “Educator” means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

(l) “Harm” means physical or psychological injury or damage.

(m) “Interested party” means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) “Jail” means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) “Juvenile detention facility” means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

(p) “Juvenile intake and assessment worker” means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) “Kinship care placement” means the placement of a child in the home of an adult with whom the child or the child’s parent already has close emotional ties.

(r) “Law enforcement officer” means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) “Multidisciplinary team” means a group of persons, appointed

by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

(t) “Neglect” means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child’s parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child’s level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

(u) “Parent” when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) “Party” means the state, the petitioner, the child, any parent of the child and an Indian child’s tribe intervening pursuant to the Indian child welfare act.

(w) “Permanency goal” means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) “Permanent custodian” means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

(y) “Physical, mental or emotional abuse” means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child’s health or emotional well-being is endangered.

(z) “Placement” means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) “Qualified residential treatment program” means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

(bb) “Reasonable and prudent parenting standard” means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(cc) “Relative” means a person related by blood, marriage or adoption.

(dd) “Runaway” means a child who is willfully and voluntarily absent from the child’s home without the consent of the child’s parent or other custodian.

(ee) “Secretary” means the secretary for children and families or the secretary’s designee.

(ff) “Secure facility” means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(gg) “Sexual abuse” means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

(1) Be photographed, filmed or depicted in pornographic material; or

(2) be subjected to aggravated human trafficking, as defined in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2022 Supp. 21-6419 or 21-6422, and amendments thereto.

(hh) “Shelter facility” means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ii) “Staff secure facility” means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment

purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(jj) “Transition plan” means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(kk) “Youth residential facility” means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(ll) “*Behavioral health crisis*” means behavioral and conduct issues that impact the safety or health of a child, members of the child’s household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.

Sec. 4. K.S.A. 38-2203 is hereby amended to read as follows: 38-2203. (a) Proceedings concerning any child who may be a child in need of care shall be governed by this code, except in those instances when the court knows or has reason to know that an Indian child is involved in the proceeding, in which case, the Indian child welfare act of 1978, 25 U.S.C. § 1901 et seq., applies. The Indian child welfare act may apply to: The filing to initiate a child in need of care proceeding, K.S.A. 38-2234, and amendments thereto; ex parte custody orders, K.S.A. 38-2242, and amendments thereto; temporary custody hearing, K.S.A. 38-2243, and amendments thereto; adjudication, K.S.A. 38-2247, and amendments thereto; burden of proof, K.S.A. 38-2250, and amendments thereto; disposition, K.S.A. 38-2255, and amendments thereto; permanency hearings, K.S.A. 38-2264, and amendments thereto; termination of parental rights, K.S.A. 38-2267, 38-2268 and 38-2269, and amendments thereto; establishment of permanent custodianship, K.S.A. 38-2268 and 38-2272, and amendments thereto; the placement of a child in any foster, pre-adoptive and adoptive home and the placement of a child in a guardianship arrangement under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto.

(b) Subject to the uniform child custody jurisdiction and enforcement act, K.S.A. 2022 Supp. 23-37,101 through 23-37,405, and amendments thereto, the district court shall have original jurisdiction of proceedings pursuant to this code.

(c) The court acquires jurisdiction over a child by the filing of a petition pursuant to this code or upon issuance of an ex parte order pursuant to K.S.A. 38-2242, and amendments thereto. When the court acquires

jurisdiction over a child in need of care, jurisdiction may continue until the child has: (1) Become 18 years of age, or until June 1 of the school year during which the child became 18 years of age if the child is still attending high school unless there is no court approved transition plan, in which event jurisdiction may continue until a transition plan is approved by the court or until the child reaches ~~the age of 21 years of age~~; (2) been adopted; or (3) been discharged by the court. Any child 18 years of age or over may request, in writing to the court, that the jurisdiction of the court cease. The court shall give notice of the request to all parties and interested parties and 30 days after receipt of the request, jurisdiction will cease.

(d) When it is no longer appropriate for the court to exercise jurisdiction over a child, the court, upon its own motion or the motion of a party or interested party at a hearing or upon agreement of all parties or interested parties, shall enter an order discharging the child. Except upon request of the child pursuant to subsection (c), the court shall not enter an order discharging a child until June 1 of the school year during which the child becomes 18 years of age if the child is in an out-of-home placement, is still attending high school and has not completed the child's high school education.

(e) When a petition is filed under this code, a person who is alleged to be under 18 years of age shall be presumed to be under that age for the purposes of this code, unless the contrary is proved.

(f) A court's order issued in a proceeding pursuant to this code, shall take precedence over such orders in a civil custody case, a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, protection from abuse act, or a comparable case in another jurisdiction, except as provided by K.S.A. 2022 Supp. 23-37,101 through 23-37,405, and amendments thereto, uniform child custody jurisdiction and enforcement act.

(g) *If a child is eligible to receive services from the Kansas department for children and families, the department of corrections or the judicial branch, such agencies shall collaborate to provide such services. Nothing in this subsection shall preclude the child from accessing services provided by the Kansas department for children and families, the department of corrections, the judicial branch or any other state agency if the child is otherwise eligible for the services.*

Sec. 5. K.S.A. 38-2231 is hereby amended to read as follows: 38-2231.

(a) A law enforcement officer or court services officer shall take a child under 18 years of age into custody when:

(1) The law enforcement officer or court services officer has a court order commanding that the child be taken into custody as a child in need of care; or

(2) the law enforcement officer or court services officer has probable cause to believe that a court order commanding that the child be taken into custody as a child in need of care has been issued in this state or in another jurisdiction.

(b) A law enforcement officer shall take a child under 18 years of age into custody when the officer:

(1) Reasonably believes the child will be harmed if not immediately removed from the place or residence where the child has been found;

(2) has probable cause to believe that the child is a runaway or a missing person or a verified missing person entry for the child can be found in the national crime information center missing person system;

(3) reasonably believes the child is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child; or

(4) reasonably believes the child is experiencing a ~~mental~~ *behavioral* health crisis and is likely to cause harm to self or others.

(c) (1) If a person provides shelter to a child whom the person knows is a runaway, such person shall promptly report the child's location either to a law enforcement agency or to the child's parent or other custodian.

(2) If a person reports a runaway's location to a law enforcement agency pursuant to this section and a law enforcement officer of the agency has reasonable grounds to believe that it is in the child's best interests, the child may be allowed to remain in the place where shelter is being provided, subject to subsection (b), in the absence of a court order to the contrary. If the child is allowed to so remain, the law enforcement agency shall promptly notify the secretary of the child's location and circumstances.

(d) Except as provided in subsections (a) and (b), a law enforcement officer may temporarily detain and assume temporary custody of any child subject to compulsory school attendance, pursuant to K.S.A. 72-3120, and amendments thereto, during the hours school is actually in session and shall deliver the child pursuant to K.S.A. 38-2232(g), and amendments thereto.

Sec. 6. K.S.A. 38-2243 is hereby amended to read as follows: 38-2243.

(a) Upon notice and hearing, the court may issue an order directing who shall have temporary custody and may modify the order during the pendency of the proceedings as will best serve the child's welfare.

(b) A hearing pursuant to this section shall be held within 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, following a child having been taken into protective custody.

(c) Whenever it is determined that a temporary custody hearing is required, the court shall immediately set the time and place for the hearing. Notice of a temporary custody hearing shall be given to all parties and interested parties.

(d) Notice of the temporary custody hearing shall be given at least 24 hours prior to the hearing. The court may continue the hearing to afford the 24 hours prior notice or, with the consent of the party or interested party, proceed with the hearing at the designated time. If an order of temporary custody is entered and the parent or other person having custody of the child has not been notified of the hearing, did not appear or waive appearance and requests a rehearing, the court shall rehear the matter without unnecessary delay.

(e) Oral notice may be used for giving notice of a temporary custody hearing where there is insufficient time to give written notice. Oral notice is completed upon filing a certificate of oral notice.

(f) The court may enter an order of temporary custody after determining there is probable cause to believe that the: (1) Child is dangerous to self or to others; (2) child is not likely to be available within the jurisdiction of the court for future proceedings; (3) health or welfare of the child may be endangered without further care; (4) child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto; (5) child is experiencing a ~~mental~~ *behavioral* health crisis and is in need of treatment; or (6) child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(g) (1) Whenever the court determines the necessity for an order of temporary custody the court may place the child in the temporary custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (h);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility;

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto;

(F) after written authorization by a community mental health center, a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto; or

(G) the secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the temporary custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the temporary custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated to be a child in need of care solely pursuant to K.S.A. 38-2202(d)(9) or (d)(10), and amendments thereto, the child may be placed in a secure facility, but the total amount of time that the child may be held in such facility under this section and K.S.A. 38-2242, and amendments thereto, shall not exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible. The order of temporary custody shall remain in effect until modified or rescinded by the court or an adjudication order is entered but not exceeding 60 days, unless good cause is shown and stated on the record.

(h) If the court issues an order of temporary custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child; or attempting to visit, contact, harass or intimidate the child, other family members or witnesses. Such restraining order shall be served by personal service pursuant to K.S.A. 38-2237(a), and amendments thereto, on any alleged perpetrator to whom the order is directed.

(i) (1) The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that:

(A) (i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, upon making the order the court shall provide the secretary with a written copy.

(j) If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a child support determination pursuant to K.S.A. 38-2277, and amendments thereto.

Sec. 7. K.S.A. 38-2302 is hereby amended to read as follows: 38-2302. As used in this code, unless the context otherwise requires:

(a) "Commissioner" means the secretary of corrections or the secretary's designee.

(b) "Community supervision officer" means any officer from court services, community corrections or any other individual authorized to supervise a juvenile on an immediate intervention, probation or conditional release.

(c) "Conditional release" means release from a term of commitment in a juvenile correctional facility for an aftercare term pursuant to K.S.A. 38-2369, and amendments thereto, under conditions established by the secretary of corrections.

(d) "Court-appointed special advocate" means a responsible adult, other than an attorney appointed pursuant to K.S.A. 38-2306, and amendments thereto, who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2307, and amendments thereto, in a proceeding pursuant to this code.

(e) "Detention risk assessment tool" means a risk assessment instrument adopted pursuant to K.S.A. 75-7023(f), and amendments thereto, used to identify factors shown to be statistically related to a juvenile's risk of failing to appear in court or reoffending pre-adjudication and designed to assist in making detention determinations.

(f) "Educational institution" means all schools at the elementary and secondary levels.

(g) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a)(1) through (5), and amendments thereto.

(h) "Evidence-based" means practices, policies, procedures and pro-

grams demonstrated by research to produce reduction in the likelihood of reoffending.

(i) “Graduated responses” means a system of community-based sanctions and incentives developed pursuant to K.S.A. 75-7023(h) and K.S.A. 38-2392, and amendments thereto, used to address violations of immediate interventions, terms and conditions of probation and conditional release and to incentivize positive behavior.

(j) “Immediate intervention” means all programs or practices developed by the county to hold juvenile offenders accountable while allowing such offenders to be diverted from formal court processing pursuant to K.S.A. 38-2346, and amendments thereto.

(k) “Institution” means the Larned juvenile correctional facility and the Kansas juvenile correctional complex.

(l) “Investigator” means an employee of the department of corrections assigned by the secretary of corrections with the responsibility for investigations concerning employees at the juvenile correctional facilities and juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(m) “Jail” means:

(1) An adult jail or lockup; or

(2) a facility in the same building as an adult jail or lockup, unless the facility meets all applicable licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(n) “Juvenile” means a person to whom one or more of the following applies, the person: (1) Is 10 or more years of age but less than 18 years of age; (2) is alleged to be a juvenile offender; or (3) has been adjudicated as a juvenile offender and continues to be subject to the jurisdiction of the court.

(o) “Juvenile correctional facility” means a facility operated by the secretary of corrections for the commitment of juvenile offenders.

(p) “Juvenile corrections officer” means a certified employee of the department of corrections working at a juvenile correctional facility assigned by the secretary of corrections with responsibility for maintaining custody, security and control of juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(q) “Juvenile detention facility” means a public or private facility licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Anno-

tated, and amendments thereto, which is used for the lawful custody of alleged or adjudicated juvenile offenders.

(r) “Juvenile intake and assessment worker” means a responsible adult trained and authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(s) “Juvenile offender” means a person who commits an offense while 10 or more years of age but less than 18 years of age which if committed by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto, or who violates the provisions of K.S.A. 41-727, K.S.A. 74-8810(j) or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, but does not include:

(1) A person 14 or more years of age who commits a traffic offense, as defined in K.S.A. 8-2117(d), and amendments thereto;

(2) a person 16 years of age or over who commits an offense defined in chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(3) a person under 18 years of age who previously has been:

(A) Convicted as an adult under the Kansas criminal code;

(B) sentenced as an adult under the Kansas criminal code following termination of status as an extended jurisdiction juvenile pursuant to K.S.A. 38-2364, and amendments thereto; or

(C) convicted or sentenced as an adult in another state or foreign jurisdiction under substantially similar procedures described in K.S.A. 38-2347, and amendments thereto, or because of attaining the age of majority designated in that state or jurisdiction.

(t) “Law enforcement officer” means any person who by virtue of that person’s office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(u) “Overall case length limit” when used in relation to a juvenile adjudicated a juvenile offender means the maximum jurisdiction of the court following disposition on an individual case. Pursuant to K.S.A. 38-2304, and amendments thereto, the case and the court’s jurisdiction shall terminate once the overall case length limit expires and may not be extended.

(v) “Parent” when used in relation to a juvenile, includes a guardian and every person who is, by law, liable to maintain, care for or support the juvenile.

(w) “Probation” means a period of community supervision ordered pursuant to K.S.A. 38-2361, and amendments thereto, overseen by either court services or community corrections, but not both.

(x) “Reasonable and prudent parenting standard” means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time en-

couraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(y) “Reintegration plan” means a written document prepared in consultation with the child’s parent or guardian that:

(1) Describes the reintegration goal, which, if achieved, will most likely give the juvenile and the victim of the juvenile a permanent and safe living arrangement;

(2) describes the child’s level of physical health, mental and emotional health and educational functioning;

(3) provides an assessment of the needs of the child and family;

(4) describes the services to be provided to the child, the child’s family and the child’s foster parents, if appropriate;

(5) includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned;

(6) includes measurable objectives and time schedules for achieving the plan; and

(7) if the child is in an out of home placement:

(A) Provides a statement for the basis of determining that reintegration is determined not to be a viable option if such a determination is made and includes a plan for another permanent living arrangement;

(B) describes available alternatives;

(C) justifies the alternative placement selected, including a description of the safety and appropriateness of such placement; and

(D) describes the programs and services that will help the child prepare to live independently as an adult.

(z) “Risk and needs assessment” means a standardized instrument administered on juveniles to identify specific risk factors and needs shown to be statistically related to a juvenile’s risk of reoffending and, when properly addressed, can reduce a juvenile’s risk of reoffending.

(aa) “Secretary” means the secretary of corrections or the secretary’s designee.

(bb) “Technical violation” means an act that violates the terms or conditions imposed as part of a probation disposition pursuant to K.S.A. 38-2361, and amendments thereto, and that does not constitute a new juvenile offense or a new child in need of care violation pursuant to K.S.A. 38-2202(d), and amendments thereto.

(cc) “Warrant” means a written order by a judge of the court directed to any law enforcement officer commanding the officer to take into custody the juvenile named or described therein.

(dd) “Youth residential facility” means any home, foster home or structure which provides 24-hour-a-day care for juveniles and which is

licensed pursuant to article 5 of chapter 65 or article 70 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(e) *“Behavioral health crisis” means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile’s household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.*

Sec. 8. K.S.A. 38-2304 is hereby amended to read as follows: 38-2304. (a) Except as provided in K.S.A. 38-2347, and amendments thereto, proceedings concerning a juvenile shall be governed by the provisions of this code.

(b) The district court shall have original jurisdiction to receive and determine proceedings under this code.

(c) When a complaint is filed under this code, the juvenile shall be presumed to be subject to this code, unless the contrary is proved.

(d) Once jurisdiction is acquired by the district court over an alleged juvenile offender, except as otherwise provided in subsection (e), jurisdiction shall continue until one of the following occurs:

- (1) The complaint is dismissed;
- (2) the juvenile is adjudicated not guilty at trial;
- (3) the juvenile, after being adjudicated guilty and sentenced:
 - (i) Successfully completes the term of probation;
 - (ii) is discharged by the secretary pursuant to K.S.A. 38-2376, and amendments thereto;
 - (iii) reaches the juvenile’s 21st birthday and no exceptions apply that extend jurisdiction beyond ~~age 21~~ *age 21 years of age*; or
 - (iv) reaches the overall case length limit;
- (4) the court terminates jurisdiction; or
- (5) the juvenile is convicted of a crime as an adult pursuant to chapter 22 of the Kansas Statutes Annotated, and amendments thereto.

(e) Once jurisdiction is acquired by the district court over an alleged juvenile offender, it shall continue beyond the juvenile offender’s 21st birthday but ~~no~~ *not* later than the juvenile offender’s 23rd birthday if:

- (1) The juvenile offender is sentenced pursuant to K.S.A. 38-2369, and amendments thereto, and the term of the sentence including successful completion of conditional release extends beyond the juvenile offender’s 21st birthday but does not extend beyond the overall case length limit; or
- (2) the juvenile offender is sentenced pursuant to an extended jurisdiction juvenile prosecution and continues to successfully serve the sentence imposed pursuant to the revised Kansas juvenile justice code.

(f) Termination of jurisdiction pursuant to this section shall have no effect on the juvenile offender’s continuing responsibility to pay restitution ordered.

(g) (1) If a juvenile offender, at the time of sentencing, is in an ~~out-of-home~~ *out-of-home* placement in the custody of the secretary for children and families under the Kansas code for care of children, the sentencing court may order the continued placement of the juvenile offender as a child in need of care.

(2) Court services, community corrections and the department of corrections shall address the risks and needs of the juvenile offender according to the results of the risk and needs assessment.

~~(3) If the juvenile offender is placed in the custody of the secretary of corrections, the secretary for children and families shall be responsible for collaborating with the department of corrections to furnish services ordered in the child in need of care proceeding during the time of the placement pursuant to the revised Kansas juvenile justice code. Nothing in this subsection shall preclude the juvenile offender from accessing services provided by the Kansas department for children and families or any other state agency if the juvenile offender is otherwise eligible for the services.~~

(h) If a juvenile or juvenile offender is eligible to receive services from the Kansas department for children and families, the department of corrections or the judicial branch, such agencies shall collaborate to provide such services. Nothing in this code shall preclude the juvenile or juvenile offender from accessing services provided by the Kansas department for children and families, the department of corrections, the judicial branch or any other state agency if the juvenile or juvenile offender is otherwise eligible for the services.

(i) A court's order issued in a proceeding pursuant to this code; shall take precedence over such orders in a proceeding under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, protection from abuse act, a proceeding under article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, a proceeding under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators, or a comparable case in another jurisdiction, except as provided by K.S.A. 2022 Supp. 23-37,101 et seq., and amendments thereto, uniform child custody jurisdiction and enforcement act.

Sec. 9. K.S.A. 38-2330 is hereby amended to read as follows: 38-2330.

(a) A law enforcement officer may take a juvenile into custody when:

- (1) Any offense has been or is being committed in the officer's view;
- (2) the officer has a warrant commanding that the juvenile be taken into custody;
- (3) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein;

(4) the officer has probable cause to believe that the juvenile is committing or has committed an act which, if committed by an adult, would constitute:

(A) A felony; or

(B) a misdemeanor and: (i) The juvenile will not be apprehended or evidence of the offense will be irretrievably lost unless the juvenile is immediately taken into custody; or (ii) the juvenile may cause injury to self or others or damage to property or may be injured unless immediately taken into custody;

(5) the officer has probable cause to believe that the juvenile has violated an order for electronic monitoring as a term of probation; or

(6) the officer receives a written statement pursuant to subsection (c).

(b) A court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may take a juvenile into custody when: (1) There is a warrant commanding that the juvenile be taken into custody; or (2) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein.

(c) Any court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may request a warrant by giving the court a written statement setting forth that the juvenile, in the judgment of the court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code:

(1) (A) Has violated the condition of the juvenile's conditional release from detention or probation, for the third or subsequent time; and

(B) poses a significant risk of physical harm to another or damage to property; or

(2) has absconded from supervision.

(d) (1) A juvenile taken into custody by a law enforcement officer or other person authorized pursuant to subsection (b) shall be brought without unnecessary delay to the custody of the juvenile's parent or other custodian, unless there are reasonable grounds to believe that such action would not be in the best interests of the child or would pose a risk to public safety or property.

(2) If the juvenile cannot be delivered to the juvenile's parent or custodian, the officer may:

(A) Issue a notice to appear pursuant to subsection (g);

(B) contact or deliver the juvenile to an intake and assessment worker for completion of the intake and assessment process pursuant to K.S.A. 75-7023, and amendments thereto; or

(C) if the juvenile is determined to not be detention eligible based on

a standardized detention risk assessment tool and is experiencing a ~~mental~~ *behavioral* health crisis, deliver a juvenile to a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto, after written authorization by a community mental health center.

(3) It shall be the duty of the officer to furnish the county or district attorney and the juvenile intake and assessment worker if the officer has delivered the juvenile to the worker or issued a notice to appear consistent with subsection (g), with all of the information in the officer's possession pertaining to the juvenile, the juvenile's parent or other persons interested in or likely to be interested in the juvenile and all other facts and circumstances which caused the juvenile to be arrested or taken into custody.

(e) In the absence of a court order to the contrary, the court or officials designated by the court, the county or district attorney or the law enforcement agency taking a juvenile into custody shall direct the release prior to the time specified by K.S.A. 38-2343(a), and amendments thereto. In addition, pursuant to K.S.A. 75-7023 and K.S.A. 38-2346, and amendments thereto, a juvenile intake and assessment worker shall direct the release of a juvenile prior to a detention hearing after the completion of the intake and assessment process.

(f) Whenever a person 18 years of age or more is taken into custody by a law enforcement officer for an alleged offense which was committed prior to the time the person reached the age of 18, the officer shall notify and refer the matter to the court for proceedings pursuant to this code, except that the provisions of this code relating to detention hearings shall not apply to that person. If such person is eligible for detention, and all suitable alternatives to detention have been exhausted, the person shall be detained in jail. Unless the law enforcement officer took the person into custody pursuant to a warrant issued by the court and the warrant specifies the amount of bond or indicates that the person may be released on personal recognizance, the person shall be taken before the court of the county where the alleged act took place or, at the request of the person, the person shall be taken, without delay, before the nearest court. The court shall fix the terms and conditions of an appearance bond upon which the person may be released from custody. The provisions of article 28 of chapter 22 of the Kansas Statutes Annotated and K.S.A. 22-2901, and amendments thereto, relating to appearance bonds and review of conditions and release shall be applicable to appearance bonds provided for in this section.

(g) (1) Whenever a law enforcement officer detains any juvenile and such juvenile is not immediately taken to juvenile intake and assessment services, the officer may serve upon such juvenile a written notice to appear. Such notice to appear shall contain the name and address of the juvenile detained, the crime charged and the location and phone number

of the juvenile intake and assessment services office where the juvenile will need to appear with a parent or guardian.

(2) The juvenile intake and assessment services office specified in such notice to appear must be contacted by the juvenile or a parent or guardian no more than 48 hours after such notice is given, excluding weekends and holidays.

(3) The juvenile detained, in order to secure release as provided in this section, must give a written promise to call within the time specified by signing the written notice prepared by the officer. The original notice shall be retained by the officer and a copy shall be delivered to the juvenile detained and that juvenile's parent or guardian if such juvenile is under 18 years of age. The officer shall then release the juvenile.

(4) The law enforcement officer shall cause to be filed, without unnecessary delay, a complaint with juvenile intake and assessment services in which a juvenile released pursuant to paragraph (3) is given notice to appear, charging the crime stated in such notice. A copy shall also be provided to the district or county attorney. If the juvenile released fails to contact juvenile intake and assessment services as required in the notice to appear, juvenile intake and assessment services shall notify the district or county attorney.

(5) The notice to appear served pursuant to paragraph (1) and the complaint filed pursuant to paragraph (4) may be provided to the juvenile in a single citation.

Sec. 10. K.S.A. 38-2391 is hereby amended to read as follows: 38-2391. (a) Upon adjudication as a juvenile offender pursuant to K.S.A. 38-2356, and amendments thereto, modification of sentence pursuant to K.S.A. 38-2367, and amendments thereto, or violation of a condition of sentence pursuant to K.S.A. 38-2368, and amendments thereto, the court may impose one or more of the sentencing alternatives under K.S.A. 38-2361, and amendments thereto, for a period of time pursuant to this section and K.S.A. 38-2369, and amendments thereto. The period of time ordered by the court shall not exceed the overall case length limit.

(b) Except as provided in subsection (c), the overall case length limit shall be calculated based on the adjudicated offense and the results of a risk and needs assessment, as follows:

(1) Offenders adjudicated for a misdemeanor may remain under the jurisdiction of the court for up to 12 months;

(2) low-risk and moderate-risk offenders adjudicated for a felony may remain under court jurisdiction for up to 15 months; and

(3) high-risk offenders adjudicated for a felony may remain under court jurisdiction for up to 18 months.

(c) There shall be no overall case length limit for a juvenile adjudicated for a felony which, if committed by an adult, would constitute an off-grid felony or a nondrug severity level 1 through 4 person felony.

(d) When a juvenile is adjudicated for multiple counts, the maximum overall case length shall be calculated based on the most severe adjudicated count or any other adjudicated count at the court's discretion. The court shall not run multiple adjudicated counts consecutively.

(e) When the juvenile is adjudicated for multiple cases simultaneously, the court shall run ~~those~~ *such* cases concurrently.

(f) Upon expiration of the overall case length limit as defined in subsection (b), the court's jurisdiction terminates and shall not be extended, *except as provided in subsection (g)(2)*.

(g) (1) For the purposes of placing juvenile offenders on probation pursuant to K.S.A. 38-2361, and amendments thereto, the court shall establish a specific term of probation as specified in this subsection based on the most serious adjudicated count in combination with the results of a risk and needs assessment, as follows, except that the term of probation shall not exceed the overall case length limit:

(A) Low-risk and moderate-risk offenders adjudicated for a misdemeanor and low-risk offenders adjudicated for a felony may be placed on probation for a term up to six months;

(B) high-risk offenders adjudicated for a misdemeanor and moderate-risk offenders adjudicated for a felony may be placed on probation for a term up to nine months; and

(C) high-risk offenders adjudicated for a felony may be placed on probation for a term up to 12 months.

(2) The court may extend the term of probation if a juvenile needs time to complete an evidence-based program as determined to be necessary based on the results of a validated risk and needs assessment *and, if necessary, may extend the overall case length limit to allow for completion of such program when failure to complete such program is due to a repeated, intentional effort to delay by the juvenile as reported by the evidence-based services provider*. The court may also extend the term of probation for good cause shown for one month for low-risk offenders, three months for moderate-risk offenders and six months for high-risk offenders. Prior to extension of the initial probationary term, the court shall find and enter into the written record the criteria permitting extension of probation. Extensions of probation ~~and the overall case length limit shall only be granted incrementally and shall not exceed the overall case length limit~~. When the court extends the term of probation for a juvenile offender, the court services officer or community correctional services officer responsible for monitoring such juvenile offender shall record the reason given for extending probation. Court services officers shall report such records to the office of judicial administration, and community correctional services officers shall report such records to the department of corrections. The office of judicial administration and the department of

corrections shall report such recorded data to the Kansas juvenile justice oversight committee on a quarterly basis.

(3) The probation term limits do not apply to those offenders adjudicated for an offense which, if committed by an adult, would constitute an off-grid crime, rape as defined in K.S.A. 2022 Supp. 21-5503(a)(1), and amendments thereto, aggravated criminal sodomy as defined in K.S.A. 2022 Supp. 21-5504(b)(3), and amendments thereto, or murder in the second degree as defined in K.S.A. 2022 Supp. 21-5403, and amendments thereto. Such offenders may be placed on probation for a term consistent with the overall case length limit.

(4) The probation term limits and overall case length limits provided in this section shall be tolled during any time that the offender has absconded from supervision while on probation, and the time on such limits shall not start to run again until the offender is located and brought back to the jurisdiction.

(h) For the purpose of placing juvenile offenders in detention pursuant to K.S.A. 38-2361 and 38-2369, and amendments thereto, the court shall establish a specific term of detention. The term of detention shall not exceed the overall case length limit or the cumulative detention limit. Cumulative detention use shall be limited to a maximum of 45 days over the course of the juvenile offender's case, except that there shall be no limit on cumulative detention for juvenile offenders adjudicated for a felony which, if committed by an adult, would constitute an off-grid felony or a nondrug severity level 1 through 4 person felony.

(i) The provisions of this section shall apply upon disposition or 15 days after adjudication, whichever is sooner, unless the juvenile fails to appear for such juvenile's dispositional hearing. If a juvenile fails to appear at such juvenile's dispositional hearing, the probation term limits and overall case length limits provided in this section shall not apply until the juvenile is brought before the court for disposition in such juvenile's case.

(j) This section shall be a part of and supplemental to the revised Kansas juvenile justice code.

Sec. 11. K.S.A. 38-2392 is hereby amended to read as follows: 38-2392. (a) The department of corrections shall, in consultation with the supreme court, adopt rules and regulations by January 1, 2017, for a statewide system of structured community-based graduated responses for technical violations of probation, violations of conditional release and violations of a condition of sentence by juveniles. Such graduated responses shall be utilized by community supervision officers to provide a continuum of community-based responses. These responses shall include sanctions that are swift and certain to address violations based on the severity of the violation as well as incentives that encourage positive behaviors. Such responses shall take into account the juvenile's risks and needs. *The*

court services officer or community correctional services officer shall immediately notify the court and shall submit in writing a report showing in what manner the juvenile has violated probation, conditional release or a condition of sentence.

(b) (1) *Except as provided in paragraph (4), when a juvenile is placed on probation pursuant to K.S.A. 38-2361, and amendments thereto, community supervision officers shall utilize graduated responses, targeted to the juvenile's risks and needs based on the results of a risk and needs assessment to address technical violations. A technical violation shall only be considered by the court for revocation if:*

- ~~(1)~~(A) *It is a third or subsequent technical violation;*
- ~~(2)~~(B) *prior failed responses are documented in the juvenile's case plan; and*
- ~~(3)~~(C) *the community supervision officer has determined and documented that graduated responses to the violation will not suffice.*

(2) *Unless a juvenile poses a significant risk of physical harm to another or damage to property, community supervision officers shall issue a summons rather than request a warrant on a third or subsequent technical violation subject to review by the court.*

(3) *Absconding from supervision shall not be considered a technical violation of probation and, after reasonable efforts to locate a juvenile that has absconded are unsuccessful, the court may issue a warrant for the juvenile pursuant to K.S.A. 38-2342, and amendments thereto.*

(4) *When a juvenile is placed on probation pursuant to K.S.A. 38-2361, and amendments thereto, a judge may commit such juvenile to detention for a violation of probation and for contempt of court if the judge makes a finding that the juvenile is demonstrating escalating use of physical violence, aggression, weapons, damage to property or life-threatening substances. A juvenile may be committed to detention for a period not to exceed:*

- (A) *24 hours for a first violation;*
- (B) *48 hours for a second violation; and*
- (C) *15 days for a third or subsequent violation.*

(c) *When a juvenile is placed on probation pursuant to K.S.A. 38-2361, and amendments thereto, the community supervision officer responsible for oversight of the juvenile shall develop a case plan in consultation with the juvenile and the juvenile's family. The department for children and families and local board of education may participate in the development of the case plan when appropriate.*

(1) *Such case plan shall incorporate the results of the risk and needs assessment, referrals to programs, documentation on violations and graduated responses and shall clearly define the role of each person or agency working with the juvenile.*

(2) If the juvenile is later committed to the custody of the secretary, the case plan shall be shared with the juvenile correctional facility.

(d) This section shall be *a* part of and supplemental to the revised Kansas juvenile justice code.

Sec. 12. K.S.A. 65-536 is hereby amended to read as follows: 65-536.

(a) A juvenile crisis intervention center is a facility that provides short-term observation, assessment, treatment and case planning, and referral for any juvenile who is experiencing a ~~mental~~ *behavioral* health crisis and is likely to cause harm to self or others. Such centers shall:

(1) Address or ensure access to the broad range of services to meet the needs of a juvenile admitted to the center, including, but not limited to, medical, psychiatric, psychological, social-~~and~~, educational *and substance abuse-related* services;

(2) not include construction features designed to physically restrict the movements and activities of juveniles, but shall have a design, structure, interior and exterior environment, and furnishings to promote a safe, comfortable and therapeutic environment for juveniles admitted to the center;

(3) implement written policies and procedures that include the use of a combination of supervision, inspection and accountability to promote safe and orderly operations; and

(4) implement written policies and procedures for staff monitoring of all center entrances and exits.

(b) A juvenile crisis intervention center shall provide treatment to juveniles admitted to such center, as appropriate while admitted.

(c) A juvenile crisis intervention center may be on the same premises as that of another licensed facility. If the juvenile crisis intervention center is on the same premises as that of another licensed facility, the living unit of the juvenile crisis intervention center shall be maintained in a separate, self-contained unit. No juvenile crisis intervention center shall be in a city or county jail or a juvenile detention facility.

(d) (1) A juvenile may be admitted to a juvenile crisis intervention center when:

(A) The head of such center determines such juvenile is in need of treatment and likely to cause harm to self or others;

(B) a qualified mental health professional from a community mental health center has given written authorization for such juvenile to be admitted to a juvenile crisis intervention center; and

(C) no other more appropriate treatment services are available and accessible to the juvenile at the time of admission.

(2) A juvenile may be admitted to a juvenile crisis intervention center for not more than 30 days. A parent with legal custody or legal guardian of a juvenile placed in a juvenile crisis intervention center may remove such juvenile from the center at any time. If the removal may cause the juvenile to

become a child in need of care pursuant to K.S.A. 38-2202(d), and amendments thereto, the head of a juvenile crisis intervention center may report such concerns to the department for children and families or law enforcement or may request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children. If the head of a juvenile crisis intervention center determines the most appropriate action is to request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children, the head of such center shall make such request and shall keep such juvenile in the center for an additional 24-hour period to initiate the appropriate proceedings.

(3) When a juvenile is released from a juvenile crisis intervention center, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged shall be involved with discharge planning. Within seven days prior to the discharge of a juvenile, the head of the juvenile crisis intervention center shall give written notice of the date and time of the discharge to the patient, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged, and the patient's parent, custodian or legal guardian.

(e) (1) Upon admission to a juvenile crisis intervention center, and if the juvenile is a medicaid recipient, the managed care organization shall approve services as recommended by the head of the juvenile crisis intervention center. Within 14 days after admission, the head of the juvenile crisis intervention center shall develop a plan of treatment for the juvenile in collaboration with the managed care organization.

(2) Nothing in this subsection shall prohibit the department of health and environment from administering or reimbursing state medicaid services to any juvenile admitted to a juvenile crisis intervention center pursuant to a waiver granted under section 1915(c) of the federal social security act, provided that such services are not administered through a managed care delivery system.

(3) Nothing in this subsection shall prohibit the department of health and environment from reimbursing any state medicaid services that qualify for reimbursement and that are provided to a juvenile admitted to a juvenile crisis intervention center.

(4) Nothing in this subsection shall impair or otherwise affect the validity of any contract in existence on July 1, 2018, between a managed care organization and the department of health and environment to provide state medicaid services.

(5) On or before January 1, 2019, the secretary of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(f) The secretary for children and families, in consultation with the attorney general, shall promulgate rules and regulations to implement the provisions of this section on or before January 1, 2019.

(g) The secretary for children and families shall annually report information on outcomes of juveniles admitted into juvenile crisis intervention centers to the joint committee on corrections and juvenile justice oversight, the corrections and juvenile justice committee of the house of representatives and the judiciary committee of the senate. Such report shall include:

(1) The number of admissions, releases and the lengths of stay for juveniles admitted to juvenile crisis intervention centers;

(2) services provided to juveniles admitted;

(3) needs of juveniles admitted determined by evidence-based assessment; and

(4) success and recidivism rates, including information on the reduction of involvement of the child welfare system and juvenile justice system with the juvenile.

(h) The secretary of corrections may enter into memorandums of agreement with other cabinet agencies to provide funding, not to exceed \$2,000,000 annually, from the evidence-based programs account of the state general fund or other available appropriations for juvenile crisis intervention services.

(i) For the purposes of this section:

(1) “*Behavioral health crisis*” means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile’s household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns;

(2) “head of a juvenile crisis intervention center” means the administrative director of a juvenile crisis intervention center or such person’s designee;

~~(2)~~(3) “juvenile” means a person who is less than 18 years of age;

~~(3)~~(4) “likely to cause harm to self or others” means that a juvenile, by reason of the juvenile’s *behavioral health condition*, mental disorder or mental condition is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another’s property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage;

~~(4)~~(5) “treatment” means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner; and

~~(5)~~(6) “qualified mental health professional” means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, a licensed masters level psychol-

ogist, a licensed clinical psychotherapist, a licensed marriage and family therapist, a licensed clinical marriage and family therapist, a licensed professional counselor, a licensed clinical professional counselor, a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(j) This section shall be part of and supplemental to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 13. K.S.A. 75-52,162 is hereby amended to read as follows: 75-52,162. (a) (1) The department of corrections and the Kansas juvenile justice oversight committee shall explore methods of exchanging confidential data between all parts of the juvenile justice system. Such data exchange shall be limited based on the needs of the user accessing the data. Such method of exchanging data shall take into consideration sharing data that is necessary for continuity of treatment and correctional programs, including, but not limited to, health care requirements, mental health care needs and history, substance abuse treatment and history, recommendations for emergency placement options and any other information to assist in providing proper care to the juvenile. The department of corrections is authorized to use grant funds, allocated state funds or any other accessible funding necessary to create such data exchange system. All state and local programs involved in the care of juveniles involved in the juvenile justice system or the child in need of care system shall cooperate in the development and utilization of such system.

(2) (A) *On or before July 1, 2025, the department of corrections shall develop a system to facilitate the exchanging of confidential data described in paragraph (1). The department may contract with another entity to provide an electronic record system that is not maintained by the department. Such system shall include a verification system that is operated by the department for the purpose of verifying the authenticity and validity of electronic records. The electronic records maintained in such system shall have the same legal effect as paper records.*

(B) *The department shall report to the joint committee on corrections and juvenile justice oversight, the house of representatives standing committee on corrections and juvenile justice, the house of representatives standing committee on appropriations, the senate standing committee on judiciary and the senate standing committee on ways and means on the progress of development on or before the first day of the 2024 regular session of the legislature.*

(b) The department of corrections shall establish and maintain a statewide searchable database that contains information regarding juveniles who participate in an immediate intervention program. County and district attorneys, judges, community supervision officers and juvenile in-

take and assessment workers shall have access to the database and shall submit necessary data to such database. The department of corrections shall, in consultation with the office of judicial administration, adopt rules and regulations to carry out the provisions of this subsection.

Sec. 14. K.S.A. 75-52,164 is hereby amended to read as follows: 75-52,164. (a) (1) There is hereby established in the state treasury the evidence-based programs account of the state general fund, which shall be administered by the department of corrections. All expenditures from the evidence-based programs account of the state general fund shall be for the development and implementation of evidence-based community programs and practices for:

- (A) Juvenile offenders; *and their families;*
- (B) juveniles experiencing ~~mental~~ *behavioral* health crisis and their families;
- (C) *children who have been administered a risk and needs assessment and have been identified as needing services pursuant to section 1, and amendments thereto; and*

- (D) *grants as provided in subsection (e).*

(2) *Evidence-based community programs and practices may be administered by community supervision offices, including, but not limited to, juvenile intake and assessment, court services, community corrections and, juvenile crisis intervention centers, community mental health centers, community health centers, the youth advocate program, jobs for America's graduates Kansas transition services and any other community-based service provider offering evidence-based community programs.*

(3) All expenditures from the evidence-based programs account of the state general 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 corrections or the secretary's designee.

(b) At least annually, throughout the year, the secretary of corrections shall determine and certify to the director of accounts and reports the amount in each account of the state general fund of a state agency that has been determined by the secretary to be actual or projected cost savings as a result of cost avoidance resulting from decreased reliance on incarceration in the juvenile correctional facility and placement in youth residential centers. The baseline shall be calculated on the cost of incarceration and placement in fiscal year 2015.

(c) Upon receipt of a certification pursuant to subsection (b), the director of accounts and reports shall transfer the amount certified pursuant to subsection (b) 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.

(d) Prioritization of evidence-based programs account of the state general fund moneys will be given to regions that demonstrate a high rate of out-of-home placement of juvenile offenders per capita that have few existing community-based alternatives.

~~(e) During fiscal years 2017 and 2018, the secretary of corrections shall transfer an amount not to exceed \$8,000,000 from appropriated department of corrections moneys from the state general fund or any available special revenue fund or funds that are budgeted for the purposes of facilitating the development and implementation of new community placements in conjunction with the reduction in out of home placements.~~

(1) The secretary of corrections shall develop and implement a grant program with the goal of implementing evidence-based community programs described in subsection (a) and promising practices throughout the state, subject to the availability of funding in the evidence-based programs account of the state general fund after other expenditures for evidence-based programs are made. The secretary shall adopt grant requirements in accordance with this section. Any provider of evidence-based community programs for juveniles may apply for a grant. The grant program shall give priority to any county that demonstrates a low availability of evidence-based community programs for juveniles. The secretary shall evaluate the programs that received a grant to ensure the program is being delivered as such program was designed.

(2) Child welfare case management providers shall not be eligible to receive grants under this subsection.

(f) Expenditures made from the evidence-based programs account of the state general fund shall be made promptly and on a rolling basis to develop and implement evidence-based community programs as services are needed throughout the state.

(g) The evidence-based programs account of the state general fund and any other moneys transferred pursuant to this section shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the funds and the moneys deposited in this fund shall remain intact and inviolate for the purposes set forth in this section.

Sec. 15. K.S.A. 38-2202, 38-2203, 38-2231, 38-2243, 38-2302, 38-2304, 38-2330, 38-2391, 38-2392, 65-536, 75-52,162 and 75-52,164 are hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its publication in the statute book.

Approved May 12, 2023.

CHAPTER 97

SENATE BILL No. 25
(Amends Chapter 82)

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AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, and 75-6707, as amended by section 179 of 2023 House Bill No. 2184, and repealing the existing sections.

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

Section 1. (a) For the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures 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 be known and may be cited as the omnibus appropriation act of 2023 and shall constitute the omnibus reconciliation spending

limit bill for the 2023 regular session of the legislature for purposes 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.

STATE BANK COMMISSIONER

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

Bank commissioner fee fund (094-00-2811)

For the fiscal year ending June 30, 2024\$12,809,736

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2024, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2024, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2025\$12,720,158

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2025, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2025, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund (094-00-2013-1010)

For the fiscal year ending June 30, 2024 No limit

For the fiscal year ending June 30, 2025 No limit

Consumer education settlement fund (094-00-2560-2500)

For the fiscal year ending June 30, 2024 No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2024, for consumer education purposes, which may be in accordance with contracts for such activities, which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2025 No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2025, for consumer education purposes, which may be in accordance with contracts for such ac-

tivities, which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

Litigation expense fund (094-00-2499-2499)

For the fiscal year ending June 30, 2024 No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2024, for costs, fees and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That, during the fiscal year ending June 30, 2024, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, 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 litigation expense fund.

For the fiscal year ending June 30, 2025 No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2025, for costs, fees and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That, during the fiscal year ending June 30, 2025, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, 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 litigation expense fund.

(b) On July 1, 2023, the provisions of section 12(a) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 3.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2023, if Substitute for Senate Bill No. 131 has been passed by the legislature during the 2023 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2024, by section 15(a) of 2023 House Bill No. 2184 on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$1,050,908 to \$1,147,260.

(b) On July 1, 2023, if Substitute for Senate Bill No. 131 has been passed by the legislature during the 2023 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2025, by section 15(a) of 2023 House Bill No. 2184 on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$1,073,817 to \$1,170,169.

Sec. 4.

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, 2023, by section 14(b) of chapter 81 of the 2022 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 \$34,010 to \$36,510.

(b) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 21(a) of 2023 House Bill No. 2184 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 \$37,695 to \$42,695.

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 21(a) of 2023 House Bill No. 2184 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 \$37,695 to \$42,695.

[†]

[†]

Sec. 7.

GOVERNMENTAL ETHICS COMMISSION

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

Operating expenditures (247-00-1000-0103)	
For the fiscal year ending June 30, 2024	\$13,000
For the fiscal year ending June 30, 2025	\$13,000

Sec. 8.

GOVERNOR'S DEPARTMENT

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

Domestic violence prevention grants (252-00-1000-0600)	\$4,550,000
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Child advocacy centers (252-00-1000-0610).....\$450,000

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency, expenditures shall be made by the above agency from moneys appropriated for fiscal year 2024 and fiscal year 2025 by section 38 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 or 2024 regular session of the legislature to post on a searchable website accessible to the public, pursuant to the Kansas taxpayer transparency act, K.S.A. 74-72,123, and amendments thereto, and as allowable by federal regulations, any grant applied for or awarded by any agency related to the American Rescue Plan Act – state fiscal recovery fund related to the four programmatic areas of connectivity, efficiency and modernization, health and education, and economic revitalization, as well as awards applied for and made through the building a stronger economy grants program and building a stronger economy 2.0 grants programs: *Provided*, That the list of all such awards shall include: (1) Such organization name; (2) the county where the grant project is located; (3) a brief description of the grant project; (4) the dollar amount awarded; and (5) the date that the above agency awarded the grant: *Provided further*, That information required to be included on the website pursuant to this paragraph shall be posted within 30 business days after the date of awarding the grant.

(c) On July 1, 2023, section 143 of 2023 House Bill No. 2184 is hereby declared null and void and shall have no force and effect.

Sec. 9.

ATTORNEY GENERAL

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

Operating expenditures (082-00-1000-0103).....\$1,741,564

Provided, That if 2023 Senate Bill No. 174, or other legislation that authorizes the attorney general to prosecute any crime that is part of an alleged course of criminal conduct that occurred in two or more counties, is not passed by the legislature during the 2023 regular session and enacted into law, then on July 1, 2023, of the \$1,741,564 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the operating expenditures account, the sum of \$252,825 is hereby lapsed.

Sec. 10.

SECRETARY OF STATE

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

Presidential preference primary.....\$4,700,000

Sec. 11.

STATE TREASURER

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund in the water supply storage debt payment for Milford and Perry reservoirs account (039-00-1000-0610) of the above agency for fiscal years 2023, 2024, 2025, 2026, 2027 and 2028 as authorized by sections 41 through 46 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023, 2024, 2025, 2026 or 2027 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated in fiscal years 2023, 2024, 2025, 2026, 2027 and 2028 to direct, in the state treasurer's discretion, the pooled money investment board to invest all moneys in the water supply storage debt payment for Milford and Perry reservoirs account in United States treasury bills that may be purchased by the state treasurer pursuant to section 41 of 2023 House Bill No. 2184.

(b) On the effective date of this act, the provisions of the proviso on section 1(a) and the provisions of section 2 of 2023 Senate Substitute for House Bill No. 2302 are hereby declared to be null and void and shall have no force and effect.

(c) On the effective date of this act, the \$52,000,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 1(a) of 2023 Senate Substitute for House Bill No. 2302 from the state general fund in the water supply storage debt payment for Milford and Perry reservoirs account (039-00-1000-0610) is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund No limit

Provided, That during the fiscal year ending June 30, 2024, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, subject to the provisions of these provisos: *Provided further*, That the build Kansas advisory committee shall be composed of nine members of the legislature appointed as follows: (1) One member appointed by the governor; (2) three members appointed by the speaker of the house of representatives; (3) three members appointed by the president of the senate; (4) one member appointed by the minority leader of the house of representatives; and (5) one member appointed by the minority leader of the senate: *And provided further*, That the chairperson of such committee shall be a senate member appointed by the president of the senate, and the vice chairper-

son shall be a representative member appointed by the speaker of the house of representatives: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application requesting matching funds for the purposes of the infrastructure investment and jobs act shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That no expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2024, shall be made for salaries and wages and other

operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities: *And provided however*, That if during fiscal year 2024, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*, That, if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce’s Kansas economic development districts and, for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000,000 from the state general fund to the build Kansas matching grant fund.

Sec. 12.

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, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund No limit
Provided, That during the fiscal year ending June 30, 2025, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, as established in

section 11, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2025, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives and the vice chairperson shall be a senate member appointed by the president of the senate: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limit-

ed to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to advice and consultation with the build Kansas advisory committee: *And provided however*, That if during fiscal year 2025, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of section 11 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and, for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2025 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*,

That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 13.

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, 2026, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund No limit

Provided, That during the fiscal year ending June 30, 2026, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, as established in section 11, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2026, the chairperson of such committee shall be a senate member appointed by the president of the senate, and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall

report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2026, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to advice and consultation with the build Kansas advisory committee: *And provided however*, That if during fiscal year 2026, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 11 and 12 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas econom-

ic development districts, and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That expenditures shall be made by the above agency from such fund during fiscal year 2026 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*, That during fiscal year 2026, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district does not have less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2026 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On July 1, 2025, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*, That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 14.

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, 2027, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund No limit

Provided, That during the fiscal year ending June 30, 2027, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, as established in section 11, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2027, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives, and the vice chairperson shall be

a senate member appointed by the president of the senate: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further* That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2027, for salaries and wages and other operating expenditures, including, but not limited

to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to advice and consultation with the build Kansas advisory committee: *And provided however*, That if during fiscal year 2027, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 11, 12 and 13 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts, and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That expenditures shall be made by the above agency from such fund during fiscal year 2027 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*, That during fiscal year 2027, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district does not have less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2027 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding

fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On July 1, 2026, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however,* That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 15.

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, 2028, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund No limit

Provided, That during the fiscal year ending June 30, 2028, no expenditures shall be made from or obligation requested to be incurred against the build Kansas matching grant fund without advising and consulting with build Kansas advisory committee, as established in section 11, subject to the provisions of section 14(a): *Provided, however,* That during the fiscal year ending June 30, 2028, the chairperson of such committee shall be a senate member appointed by the president of the senate, and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further,* That on or before September 30, 2027, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On September 30, 2027, the director of accounts and reports shall transfer all moneys in the build Kansas matching grant fund to the state general fund. On September 30, 2027, all liabilities of the build Kansas matching grant fund are hereby transferred to and imposed on the state general fund and the build Kansas matching grant fund is hereby abolished.

Sec. 16.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund

or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Group-funded pools refund fund No limit

(b) During the fiscal years ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of K.S.A. 40-103, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal year 2023 or 2024 as authorized by chapter 81 of the 2022 Session Laws of Kansas, section 47 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature to enhance, support, plan, implement or impose federal market reforms, changes or additions to essential health benefits under part A of title XXVII of the federal public health service act, including, but not limited to, the imposition of new health insurance mandates or consumer benefits on a health plan of any individual, group, governmental agency or entity, whether such health plan is insured or self-insured unless the legislature expressly consents to and approves of such action or actions by an act of the legislature.

(c) On the effective date of this act, the provisions of section 47(c) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 17.

HEALTH CARE STABILIZATION
FUND BOARD OF GOVERNORS

(a) Notwithstanding the provisions of K.S.A. 40-3401, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds of the above agency for fiscal year 2024 as authorized by section 48 of 2023 House Bill No. 2184, this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to deem a maternity center as a “healthcare provider” for the purposes of the healthcare provider insurance availability act, K.S.A. 40-3401 et seq., and amendments thereto, if such maternity center: (1) Has been granted accreditation by the commission for accreditation of birth centers; and (2) is a maternity center as defined in K.S.A. 65-503, and amendments thereto.

Sec. 18.

JUDICIAL COUNCIL

(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 (349-00-1000)\$696,664

Sec. 19.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

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

Operating expenditures (328-00-1000-0603)\$1,781,626

Sec. 20.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2024, for the following specified purposes:

Agency operations (365-00-7002-7400)\$166,421

(b) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the investment-related expenses account (365-00-7002-8000) of the Kansas public employees retirement fund (365-00-7002-7000) for fiscal year 2024 as authorized by section 56(b) of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such account for fiscal year 2024, in an amount not to exceed \$450,000, for a contract for proxy voting services: Provided, That such contract shall be executed on or before October 1, 2023.

Sec. 21.

DEPARTMENT OF ADMINISTRATION

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

Licensing verification portal\$84,000

(b) On July 1, 2023, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2024, by section 63(a) of 2023 House Bill No. 2184 on the budget analysis account (173-00-1000-0520) of the state general fund of the department of administration is hereby decreased from \$2,000 to \$1,000.

(c) On July 1, 2023, of the \$1,997,630 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 63(a) of 2023 House Bill No. 2184 from the state general fund in the budget analysis account (173-00-1000-0520), the sum of \$40,670 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

1st Kansas (colored) voluntary infantry regiment mural fund.....No limit
 Ad astra sculpture fund.....No limit

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 2022 Supp. 48-3406, as amended by section 2 of 2023 Senate Bill No. 66, or any other statute, 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 fiscal year 2024 as authorized by section 63 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature to require the board of accountancy, board of barbering, board of examiners in optometry, state board of veterinary examiners, governmental ethics commission, Kansas dental board or the state board of mortuary arts to comply with a central electronic record system developed and implemented by the secretary of administration.

Sec. 22.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

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

Vendor contract (335-00-1000).....\$2,500,000

Sec. 23.

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:

Gage park improvement district.....\$2,000,000

(b) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by section 73 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to modernize driver's licenses to allow electronic use as a digital driver's license that can be stored on mobile device applications: *Provided*, That such digital driver's license shall be compatible with federal transportation security administration checkpoints.

Sec. 24.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 74(a) of 2023 House Bill No. 2184 to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2023, is hereby increased from \$69,490,000 to \$73,740,000.

Sec. 25.

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:

World cup planning and area improvements\$10,000,000

Sec. 26.

DEPARTMENT OF COMMERCE

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

Statewide marketing campaign for high demand and high wage career fields.....\$2,500,000

Provided, That expenditures shall be made by the above agency from statewide marketing campaign for high demand and high wage career fields account for a contract with Level Up Kansas, a Kansas non-profit, for the purpose of providing a statewide marketing campaign to underskilled adult learners about training opportunities available at Kansas postsecondary educational institutions in high demand and high wage career fields.

Any unencumbered balance in the world cup planning and area improvements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas nonprofit apprenticeship grant program fund..... No limit
Kansas educator registered apprenticeship grant program fund No limit
Engineering graduate incentive fund No limit
Kansas film and digital media production development act education fund..... No limit
Kansas film and digital media production development act workforce training and business direct investment fund No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by section 77 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys to define, for the purposes of section 77(j)(1) of 2023 House Bill No. 2184, "amusement rides" to mean

the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further includes buildings necessary to house and operate such amusement park ride, buildings immediately adjacent and attached to such amusement park ride and a building necessary to house a conference center within the major amusement park area.

(d) On the effective date of this act, the provisions of section 77(j)(2) (A) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 27.

DEPARTMENT OF COMMERCE

(a) Any unencumbered balance in statewide marketing campaign for high demand and high wage career fields account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That the above agency shall submit a report on the campaign to the house of representatives committee on commerce, labor and economic development and the senate committee on commerce on or before February 1, 2025.

Sec. 28.

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).....\$23,000

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 64(b) of chapter 81 of the 2022 Session Laws of Kansas on the workmen’s compensation fee fund (296-00-2124-2220) of the department of labor is hereby decreased from \$13,263,070 to \$12,067,209.

(c) On the effective date of this act, the provisions of section 80(c) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 29.

DEPARTMENT OF LABOR

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

Operating expenditures (296-00-1000-0503).....\$890,000

(b) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 81(b) of 2023 House Bill No. 2184 on the workmen’s compensation fee fund (296-00-2124-2220) of the department of labor is hereby increased from \$12,321,935 to \$12,375,379.

(c) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 44-710a, and amendments thereto, or any other stat-

ute to the contrary, 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 as authorized by section 81 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to recalculate the rate of both employers in a full or partial successorship pursuant to K.S.A. 44-710a(b)(4)(A), and amendments thereto, on the first day of the next calendar year following the date of transfer of trade or business.

(d) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 44-703, 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 the state general fund or from any special revenue fund or funds as authorized by section 81 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to determine the benefit year, including any subsequent benefit year, under K.S.A. 44-703(d), and amendments thereto, with respect to an individual as beginning with the Sunday of the first week for which such individual files a valid claim for benefits.

Sec. 30.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

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

Child abuse review and evaluation (264-00-1000-1550)	\$117,653
Operating expenditures (including official hospitality) – health (264-00-1000-0270).....	\$21,250

Sec. 31.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$692,680,872 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 70(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$28,000,000 is hereby lapsed.

Sec. 32.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On July 1, 2023, of the \$700,032,680 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 86(a) of 2023 House Bill No. 2184 from the state general fund in the other medical

assistance account (264-00-1000-3026), the sum of \$18,282,680 is hereby lapsed.

Sec. 33.

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:

Non-KanCare caseloads (039-00-1000-0611)	\$540,000
Larned state hospital – operating expenditures (410-00-1000-0103)	\$10,360,000

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Kansas neurological institute fee fund (363-00-2059-2000) of the Kansas department for aging and disability services is hereby increased from \$1,324,436 to \$1,500,793.

(c) On the effective date of this act, of the \$431,984,882 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$32,000,000 is hereby lapsed.

(d) 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)	\$715,000
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Sec. 34.

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, 2024, the following:

Community services and programs account (039-00-1000-0520)	\$200,000
Non-KanCare caseloads (039-00-1000-0611)	\$5,500,000
Program for all-inclusive care for the elderly.....	\$2,500,000

Provided, That expenditures shall be made by the above agency from the program for all-inclusive care for the elderly account to expand the PACE program to additional Kansas counties.

Counties and hospitals reimbursement.....	\$5,000,000
Program grants – nutrition – state match (039-00-1000-0280)	\$1,500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

County competency expense fund.....No limit

(c) On July 1, 2023, of the \$551,600,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 89(a) of 2023 House Bill No. 2184 from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$18,600,000 is hereby lapsed.

Sec. 35.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

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

Youth services aid and assistance account (629-00-1000-7020)\$5,640,000

Sec. 36.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

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

State operations (including official hospitality) (629-00-1000-0013)\$511,288
Youth services aid and assistance account (629-00-1000-7020)\$867,444

(b) On July 1, 2023, of the \$134,710,032 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 91(a) of 2023 House Bill No. 2184 from the state general fund in the state operations (including official hospitality) account (629-00-1000-0013), the sum of \$3,550,000 is hereby lapsed.

(c) On July 1, 2023, the provisions of section 91(g) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 37.

DEPARTMENT OF EDUCATION

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

Mental health intervention team pilot (652-00-1000-0150).....\$13,534,722

Provided, That any unencumbered balance in the mental health intervention team pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the mental health intervention team pilot to continue the mental health intervention team program: *And provided further*, That such program shall be a continuation of the mental health intervention team pilot program first established pursuant to section 1 of chapter 57 and section 3 of chapter 70 of the 2018 Session Laws of Kansas and continued and expanded through subsequent appropriation acts of the legislature:

[†]

(b) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2024 to authorize the children’s cabinet to establish a nonprofit corporation organized under section 501(c)(3) of the internal revenue code of 1986: *Provided*, That the board of directors of the nonprofit corporation shall consist of the members of the children’s cabinet, the executive director of the children’s cabinet and other directors designated by the children’s cabinet: *Provided further*, That the children’s cabinet shall receive gifts, donations, grants and other moneys and engage in fundraising projects for the benefit of the Dolly Parton’s imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Sec. 38.

STATE LIBRARY

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

Blind information access program.....\$30,000

Provided, That expenditures shall be made by the above agency from the blind information access program account to contract with an organization that delivers on-demand information access services to persons who are blind, visually impaired, deafblind, print disabled or who have another disability: *Provided further*, That such services shall provide access to digital content through audio, electronic text and braille reading technologies and other related services, including, but not limited to, Kansas specific publications, national publications, international publications, breaking news sources and localized emergency weather alerts: *And provided fur-*

ther, That such on-demand information access services shall be provided using telecommunications services or internet services.

Sec. 39.

STATE LIBRARY

(a) Any unencumbered balance in the blind information access program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That expenditures shall be made by the above agency from the blind information access program account to contract with an organization that delivers on-demand information access services to persons who are blind, visually impaired, deafblind, print disabled or who have another disability: *Provided further*, That such services shall provide access to digital content through audio, electronic text and braille reading technologies and other related services, including, but not limited to, Kansas specific publications, national publications, international publications, breaking news sources and localized emergency weather alerts: *And provided further*, That such on-demand information access services shall be provided using telecommunications services or internet services.

[†]

Sec. 41.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Student success center.....\$6,000,000

Sec. 42.

KANSAS STATE UNIVERSITY

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

Operating expenditures (including official hospitality) (367-00-1000-0003).....\$252,800

Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....\$1,250,000

Provided, That in addition to the other purposes for which expenditure may be made from this account for fiscal year 2024 as authorized by section 100(a) of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from this account for fiscal year 2024 to support the turbine transition program and increase the number of career-ready pilots positively impacting the current industry crisis.

Sec. 43.

PITTSBURG STATE UNIVERSITY

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

Global center for STEM	\$2,000,000
Center for emerging technologies	\$2,000,000

Sec. 44.

UNIVERSITY OF KANSAS

(a) During the fiscal years ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of any statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal years 2023 and 2024 as authorized by chapter 81 or chapter 97 of the 2022 Session Laws of Kansas, section 109 or 160 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, to demolish or raze Smith hall and move or place in storage any related artwork, including, but not limited to, the statue of Moses, on the Lawrence campus until the above agency has submitted a written revised and updated 2024 master plan for the Lawrence campus to the state board of regents: *Provided*, That such plan shall include the justification for such demolition or razing of Smith hall and the plan for the use of the land currently occupied by Smith hall: *Provided further*, That such plan shall be presented to the state board of regents at a public meeting where members of the public shall be allowed to present testimony: *And provided further*, That if such plan is approved by a majority of the members of the state board of regents in a public meeting, then the above agency may expend moneys during fiscal years 2023 and 2024 to demolish or raze Smith hall: *And provided further*, That during fiscal years 2023 and 2024, nothing in this subsection shall authorize the above agency to use any private moneys for the demolition or razing of Smith hall and the above agency is prohibited from using any private moneys for such purposes prior to the approval of the state board of regents as provided for in this subsection.

(b) If 2023 House Bill No. 2089, 2023 House Substitute for Senate Bill No. 113 or any other legislation that transfers moneys from the legislature employment security fund of the legislative coordinating council is passed by the legislature during the 2023 regular session and enacted into law, then on July 1, 2023, the amount of \$71,000,000 authorized by section 33(c) of 2023 House Bill No. 2184 to be transferred by the director of accounts and reports from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas is hereby decreased by 50% of the total amount transferred by any such legislation as certified by the director of the budget to the director

accounts and reports: *Provided*, That upon receipt of such certification, on July 1, 2023, the director of accounts and reports shall transfer such certified amount, not to exceed \$15,000,000, from the state general fund to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas: *Provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research.

Sec. 45.

UNIVERSITY OF KANSAS MEDICAL CENTER

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

Operating expenditures (including	
official hospitality) (683-00-1000-0503)	\$27,000
OBGYN medical student loan	\$943,000
OBGYN medical residency bridging loan	\$30,000
Health science center KUMed and WSU	\$6,500,000

(b) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds of the above agency for fiscal year 2024 as authorized by section 112 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to review funding for the university of Kansas cancer center building, including, but not limited to, the need for additional state moneys to leverage private funding required for construction of such cancer center to advance and to submit a report on such agency’s findings from such review to the legislature during the 2024 regular session of the legislature.

Sec. 46.

WICHITA STATE UNIVERSITY

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

Health science center WSU.....	\$6,500,000
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(b) If 2023 House Bill No. 2089, 2023 House Substitute for Senate Bill No. 113 or any other legislation that transfers moneys from the legislature employment security fund of the legislative coordinating council is passed by the legislature during the 2023 regular session and enacted into law, then on July 1, 2023, the amount of \$71,000,000 authorized by section 33(d) of 2023 House Bill No. 2184 to be transferred by the director of accounts and reports from the legislature employment security fund of the legislative coordinating council to the Wichita state university and university of Kansas health collaboration fund of Wichita state university is hereby decreased

by 50% of the total amount transferred by any such legislation as certified by the director of the budget to the director accounts and reports: *Provided*, That upon receipt of such certification, on July 1, 2023, the director of accounts and reports shall transfer such certified amount, not to exceed \$15,000,000, from the state general fund to the Wichita state university and university of Kansas health collaboration fund of Wichita state university: *Provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research.

Sec. 47.

STATE BOARD OF REGENTS

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

NISS academic playbook	\$8,500,000
Washburn ensuring student pathways to success.....	\$600,000
Technical colleges operating grants.....	\$10,500,000
Hero’s act scholarships	\$700,000

[†]

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas adult learner grant program fund.....	No limit
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[†]

(d) On the effective date of this act, the provisions of the proviso under section 115(a) of 2023 House Bill No. 2184 for the community college capital outlay aid account are hereby declared to be null and void and shall have no force and effect.

(e) During fiscal year 2024, all expenditures from the community college capital outlay aid account shall be distributed to any community college not eligible for career technical education capital outlay aid in K.S.A. 74-32,413(c), and amendments thereto, based upon the number of technical education full-time equivalent students at each community college in academic year 2022.

(f) On the effective date of this act, the provisions of the proviso under section 115(a) of 2023 House Bill No. 2184 for the two year college apprenticeship act account are hereby declared to be null and void and shall have no force and effect.

(g) During fiscal year 2024, all expenditures from the two year college apprenticeship act account shall be distributed to the community colleges

and technical colleges based on the number of full-time equivalent students enrolled at each such college during academic year 2022 to be used for the development of registered apprenticeships, business and industry outreach and development of programming to meet the emerging needs of Kansas businesses.

(h) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas adult learner grant program fund of the state board of regents.

Sec. 48.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

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, 2024, is hereby reappropriated for fiscal year 2025: *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.

Sec. 49.

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:

Hutchinson correctional facility –

facilities operations (313-00-1000-0303)\$227,377

Winfield correctional facility –

facilities operations (712-00-1000-0303)\$57,895

Sec. 50.

DEPARTMENT OF CORRECTIONS

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

Operating expenditures (521-00-1000-0603).....\$1,124,113

Sec. 51.

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)\$410,913
 Sec. 52.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and
 repair projects (034-00-1000-8000)\$1,208,100

[†]

Sec. 54.

KANSAS HIGHWAY PATROL

(a) 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 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 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.

Sec. 55.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

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

Substance use disorder federal fundNo limit

Sec. 56.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

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

Operating expenditures (083-00-1000-0083)\$592,515
Provided however, That, if 2023 Senate Substitute for House Bill No. 2010 is not passed by the legislature during the 2023 regular session and enacted into law, then on the effective date of this act, of the \$592,515 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, by this section in the operating expenditures account, \$182,180 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, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Substance use disorder federal fund No limit

Sec. 57.

KANSAS SENTENCING COMMISSION

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

Substance abuse treatment programs (626-00-1000-0600)\$1,800,000

Provided however, That, if 2023 Senate Substitute for House Bill No. 2010 is not passed by the legislature during the 2023 regular session and enacted into law, then on the effective date of this act, the \$1,800,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, by this section in the substance abuse treatment account is hereby lapsed.

Sec. 58.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 131(a) of 2023 House Bill No. 2184 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 \$822,153 to \$844,161.

Sec. 59.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 131(a) of 2023 House Bill No. 2184 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 \$916,965 to \$938,973.

Sec. 60.

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).....\$1,955,405

(b) 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 years 2023 and 2024 as authorized by section 127 of chapter 81 and section 46 of chapter 97 of the 2022 Session Laws of Kansas, sections 133 and 134 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal years 2023 and 2024 to study the issues surrounding the regulation of agribusiness farm wineries: *Provided*, That, as used in this subsection, “agribusiness farm wineries” means a business that holds a farm winery license pursuant to K.S.A. 41-308a, and amendments thereto, is a registered agritourism operator pursuant to K.S.A. 32-1430 et seq., and amendments thereto, and engages in agritourism activities: *Provided further*, That on or before January 8, 2024, the above agency shall submit a report to the house of representatives committee on commerce, labor and economic development and the senate committee on commerce.

(c) On the effective date of this act, any unencumbered balance in the dairy industry expansion needs assessment account (046-00-1000-0060) of the state general fund of the above agency is hereby lapsed.

Sec. 61.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified, the following:

HB 2302 projects.....\$18,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Water projects grant fund No limit
Water technical assistance fund..... No limit

(c) During the fiscal year ending June 30, 2024, the director of the Kansas water office, 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 transfer moneys from any account of the state water plan fund for fiscal year 2024 for the Kansas water office to any account of the state water plan fund for fiscal year 2024 for the Kansas department of wildlife and parks, the university of Kansas, the Kansas department of agriculture or the department of health and environment – division of environment: *Provided*, That the state finance council is hereby authorized to approve such transfers: *Provided further*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and upon receipt of such certification, the director of accounts and reports shall transfer such certified amount to the certified account: *And provided further*, That, when the director of the Kansas water office provides certification to the director of accounts and reports under this subsection, the director shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That all moneys transferred to such accounts of the state water plan fund for such state agencies are appropriated for the fiscal year ending June 30, 2024, and shall be expended by such state agency for the state water plan project or projects specified by such accounts: *And provided further*, That the total of such transfers for fiscal year 2024 shall not exceed \$18,000,000.

Sec. 62.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby increased from \$1,103,187 to \$1,134,548.

(b) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$37,021,157 to \$38,664,650.

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(b) of 2023 House Bill No. 2184 on the state parks operating expenditures account (710-00-1900-1920) of the state economic development initiatives fund of the Kansas department of wildlife and parks is hereby increased from \$1,787,952 to \$1,857,177.

(d) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$12,857,301 to \$13,454,031.

(e) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the department access roads fund (710-00-2178-2761) of the Kansas department of wildlife and parks is hereby increased from \$1,746,736 to \$1,815,961.

Sec. 63.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 140(b) of 2023 House Bill No. 2184 on the agency operations account (276-00-4100-0403) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$319,084,889 to \$319,213,529.

Sec. 64. (a) On the effective date of this act, the provisions of section 144(a) and (b) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 65.

STATE FINANCE COUNCIL

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

State employee pay increase\$46,000,000

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 2024.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

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 2024.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, 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 2024.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2024, 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 2024.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2024, 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 2024.

(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 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, 2024. 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, 2024.

(g) (1) Based on the department of administration’s 2022 market survey summary, effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the following executive branch benefits-eligible employees shall receive a salary increase, as close as possible based on the closest available step for classified employees, as follows:

(A) If an employee’s class/job title is under market pay by 15% or greater, such employee’s salary shall be increased by the percentage that equals the difference between such under market pay percentage and 10% under market.

(B) If an employee’s class/job title is under market pay by less than 15% and not greater than 10% over market pay, such employee’s salary shall be increased by 5%.

(C) If an employee’s class/job title is over market pay by greater than 10%, such employee’s salary shall be increased by 2.5%.

(2) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, an executive branch benefits-eligible employee

whose class/job title is not listed in such market survey summary 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.

(3) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, an executive branch benefits-eligible employee whose class/job title is not listed in such market survey summary and is in the unclassified service shall receive a salary increase of 5.0%.

(4) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, all legislative branch state agencies shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits-eligible unclassified employees in such agency, to be distributed as a merit pool.

(5) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the judicial branch shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits-eligible non-judge judicial branch employees in such agency, to be distributed as a merit pool.

(6) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the state board of regents and the universities shall receive a sum equivalent to the total of 2.5%, rounded to the nearest penny, of the salaries of all benefits-eligible employees in such agency, to be distributed as a merit pool.

(7) In addition to any market salary adjustment pursuant to subsection (g)(1), corrections officers and parole officers of the department of corrections and employees at Osawatomie state hospital, Larned state hospital, Larned mental health correctional facility, Parsons state hospital and training center, the Kansas neurological institute, Kansas soldiers' home and the Kansas veteran's home shall receive a salary increase of 5.0%.

(8) In addition to any formal, written career progression plan implemented by executive directive, employees assigned to a trooper or officer classification, including the capitol police, of the Kansas highway patrol and Kansas bureau of investigation commissioned officers and forensic scientists shall receive a salary increase of 2.5%.

(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) Notwithstanding the provisions of K.S.A. 75-3120l, and amendments thereto, or any other statute, the provisions of subsection (g) shall

not apply to justices of the supreme court, judges of the court of appeals, district court judges or district magistrate judges.

(4) 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) Any other employees on a formal, written career progression plan implemented by executive directive.

Sec. 66.

DEPARTMENT OF ADMINISTRATION

(a) In addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by section 63 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2024 to review and analyze the job market at the different locations of state agencies and state institutions across the state.

Sec. 67. On and after July 1, 2023, K.S.A. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, 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 trea-

suror, 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 2023, 2024 and 2025, the state treasurer shall not certify or transfer any state moneys available for investment pursuant to this subsection.~~

(j) As used in this section:

(1) "Board of trustees" means the board of trustees of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto.

(2) "Fiduciary" means a person who, with respect to the moneys invested under this section:

(A) Exercises any discretionary authority with respect to administration of the moneys;

(B) exercises any authority to invest or manage such moneys or has any authority or responsibility to do so;

(C) provides investment advice for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so;

(D) provides actuarial, accounting, auditing, consulting, legal or other professional services for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so; or

(E) is a member of the board of trustees or of the staff of the board of trustees.

Sec. 68. K.S.A. 2022 Supp. 75-6707, as amended by section 179 of 2023 House Bill No. 2184, is hereby amended to read as follows: 75-6707.

(a) For the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of,

or is less than, the amount of estimated tax receipt revenues to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) (1) Except as provided in paragraph (2), upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund for the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(2) During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, if the balance of the budget stabilization fund is ~~15%~~ 20% or greater of the amount of actual tax receipt revenues to the state general fund at the end of each such fiscal year, no transfers from the state general fund to the budget stabilization fund shall be made pursuant to this subsection.

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers shall be made pursuant to this section.

Sec. 69. K.S.A. 2022 Supp. 75-6707, as amended by section 179 of 2023 House Bill No. 2184, is hereby repealed.

Sec. 70. On and after July 1, 2023, K.S.A. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, is hereby repealed.

Sec. 71. *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 the 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. 72. *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 initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 73. 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. 74. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved May 15, 2023.

Published in the *Kansas Register* May 25, 2023.

† Section 5 was line-item vetoed.

† Section 6 was line-item vetoed.

† A portion of section 37(a) was line-item vetoed.

† Section 40 was line-item vetoed.

† A portion of section 47(a) was line-item vetoed.

† Section 47(c) was line-item vetoed.

† Section 53 was line-item vetoed.

(See Messages from the Governor)

CHAPTER 98

House Substitute for SENATE BILL No. 113

TO Education, department of..... SEC. 1, 2

AN ACT concerning education; making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, for the state department of education; requiring school districts to submit a notice of intent to dispose of a school district building to the legislature; establishing a state option to acquire such school district buildings; authorizing certain students to participate in activities that are regulated by the Kansas state high school activities association; authorizing certain nonpublic school students who enroll part-time in a school district to participate in nonpublic school activities; authorizing any student with a parent or guardian employed by a school district to enroll in and attend such school district without entering the school district's open-seat lottery process; requiring school districts to give priority to nonresident military students under the school district's open-seat lottery process; requiring consideration of homelessness when determining enrollment status of a student under school district open-enrollment procedures; authorizing members of school district boards of education to receive compensation from the school district for work and duties performed; providing for additional student eligibility and increasing the tax credit for contributions made pursuant to the tax credit for low income students scholarship program; establishing the special education and related services funding task force; extending the high-density at-risk student weighting sunset date; authorizing the use of current-year or preceding year student enrollment to determine state foundation aid under the Kansas school equity and enhancement act; continuing a district's low enrollment weighting factor if the district accepts students from another school district under certain circumstances; continuing the 20 mill statewide levy for schools; increasing the number of school districts that qualify to finance a cost-of-living weighting and increasing the maximum amount of such weighting; amending K.S.A. 72-1137, 72-3123, as amended by section 16 of chapter 94 of the 2022 Session Laws of Kansas, 72-3216, 72-4357, 72-5149 and 72-5159 and K.S.A. 2022 Supp. 72-3126, 72-4352, 72-5132, 72-5142, 72-5151 and 72-5462 and repealing the existing sections.

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

New Section 1.

DEPARTMENT OF EDUCATION

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

Table with 2 columns: Description and Amount. Rows include KPERS - school employer contributions - USDs (652-00-1000-0110) for \$5,929,175 and Supplemental state aid (652-00-1000-0840) for \$541,000.

(b) On the effective date of this act, of the \$37,714,422 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 2(a) of chapter 94 of the 2022 Session Laws of Kansas from the state general fund in the KPERS - school employer contributions - non-USDs account (652-00-1000-0100), the sum of \$8,039,460 is hereby lapsed.

New Sec. 2.

DEPARTMENT OF EDUCATION

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

Operating expenditures (including official hospitality) (652-00-1000-0053)\$14,712,912

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

Center for READing (652-00-1000-0080)\$80,000

Provided, That the above agency shall expend moneys in such account to provide a project manager grant to the center for reading at Pittsburg state university to: (1) Assist in the development and support of a science of reading curricula for the state educational institutions and colleges based on the knowledge and practice standards that have been adopted by the state department of education; (2) develop and support a recommended dyslexia textbook list for in-class learning for school districts to use; (3) develop and support a recommended dyslexia resources list for in-class learning for school districts to use; (4) provide knowledge and support for a train the trainer program and professional development curriculum for school districts to use; and (5) provide knowledge and support for developing a list of qualified trainers for school districts to hire.

KPERS – school employer contributions – non-USDs (652-00-1000-0100)\$29,810,273

Provided, That any unencumbered balance in the KPERS-school employer contributions – non-USDs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

KPERS – school employer contributions-USDs (652-00-1000-0110)\$531,880,516

Provided, That any unencumbered balance in the KPERS-school employer contributions – USDs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

ACT and workkeys assessments program (652-00-1000-0140)\$2,800,000

Special education services aid (652-00-1000-0700)\$528,018,516

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization

of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422, and amendments thereto.

Career and technical education transportation	
state aid (652-00-1000-0190).....	\$1,482,338
Juvenile transitional crisis	
center pilot (652-00-1000-0210)	\$300,000
Education commission of	
the states (652-00-1000-0220).....	\$67,700
School safety hotline (652-00-1000-0230).....	\$10,000
School safety and	
security grants (652-00-1000-0235)	\$5,000,000

Provided, That expenditures shall be made from the school safety and security grants account for fiscal year 2024 for disbursements of grant moneys approved by the state board of education for the: Acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities; acquisition of communication devices and equipment necessary for the effective communication between law enforcement, security services and school; acquisition of naloxone hydrochloride products for use by approved professionals; and salaries and wages, and associated fringe benefits, for newly created positions of school resource officers and the costs associated with any newly created school resource officers provided by the city or county of such school district: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2024 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose.

School district juvenile detention	
facilities and Flint Hills job corps	
center grants (652-00-1000-0290).....	\$5,060,528

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps cen-

ter grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.

School food assistance (652-00-1000-0320)	\$2,510,486
Mentor teacher (652-00-1000-0440)	\$1,300,000
Educable deaf-blind and severely handicapped children’s programs aid (652-00-1000-0630)	\$110,000
Governor’s teaching excellence scholarships and awards (652-00-1000-0770).....	\$360,693

[†]

Supplemental state aid (652-00-1000-0840)	\$577,309
Professional development state aid (652-00-1000-0860).....	\$1,770,000
Computer science education advancement grant (652-00-1000-0920).....	\$1,000,000

Provided, That expenditures shall be made by the above agency from the computer science education advancement grant account for fiscal year 2024 to provide grants to high-quality professional learning providers to develop and implement teacher professional development programs for the computer science courses as established in K.S.A. 2022 Supp. 72-3258, and amendments thereto.

Career technical education pilot (652-00-1000-0940)	\$40,000
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Provided, That expenditures shall be made by the above agency from the career technical education pilot account for fiscal year 2024 to distribute the stipends required to be provided to the Washburn institute of technology and to participating high schools that are served by the Washburn institute of technology service area pursuant to the secondary career technical education credentialing and student transitioning to employment success pilot program as established in K.S.A. 2022 Supp. 72-3822, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

School district capital outlay state aid fund.....	No limit
School district capital improvements fund (652-00-2880)	No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-5457, and amendments thereto.

Educational technology

coordinator fund (652-00-2157)..... No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2024, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2024 in order to assess the cost effectiveness of the position of educational technology coordinator.

Communities in schools program fund (652-00-2221)..... No limit

Inservice education workshop fee fund (652-00-2230)..... No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospital-ity, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided fur-ther*, That such fees shall be fixed in order to recover all or part of such op-erating 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.

Federal indirect cost

reimbursement fund (652-00-2312) No limit

Conversion of materials and

equipment fund (652-00-2420)..... No limit

School bus safety fund (652-00-2532)..... No limit

State safety fund (652-00-2538)..... No limit

Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2024 as soon as moneys are available.

Motorcycle safety fund (652-00-2633)..... No limit

Teacher and administrator

fee fund (652-00-2723)..... No limit

Service clearing fund (652-00-2869)..... No limit

ARPA supplemental (652-00-3028-0529)..... No limit

Reimbursement for

services fund (652-00-3056)..... No limit

ESSA – student support academic enrichment –

federal fund (652-00-3113)..... No limit

Educationally deprived

children – state operations –

federal fund (652-00-3131)..... No limit

Food assistance – federal fund (652-00-3230)	No limit
Elementary and secondary school aid – federal fund (652-00-3233)	No limit
Education of handicapped children fund – federal (652-00-3234)	No limit
Community-based child abuse prevention – federal fund (652-00-3319)	No limit
TANF children’s programs – federal fund (652-00-3323)	No limit
21 st century community learning centers – federal fund (652-00-3519)	No limit
State assessments – federal fund (652-00-3520)	No limit
Rural and low-income schools program – federal fund (652-00-3521)	No limit
Language assistance state grants – federal fund (652-00-3522)	No limit
State grants for improving teacher quality – federal fund (652-00-3526)	No limit
State grants for improving teacher quality – federal fund – state operations (652-00-3527)	No limit
Food assistance – school breakfast program – federal fund (652-00-3529)	No limit
Food assistance – national school lunch program – federal fund (652-00-3530)	No limit
Food assistance – child and adult care food program – federal fund (652-00-3531)	No limit
Elementary and secondary school aid – federal fund – local education agency fund (652-00-3532)	No limit
Education of handicapped children fund – state operations – federal fund (652-00-3534)	No limit
Education of handicapped children fund – preschool – federal fund (652-00-3535)	No limit
Education of handicapped children fund – preschool state operations – federal (652-00-3536)	No limit

Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537).....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538).....	No limit
Vocational education title II – federal fund (652-00-3539)	No limit
Vocational education title II – federal fund – state operations (652-00-3540).....	No limit
Educational research grants and projects fund (652-00-3592).....	No limit
ARPA agency state fiscal recovery fund (652-00-3756).....	No limit
ARPA capital projects fund (652-00-3761).....	No limit
Local school district contribution program checkoff fund (652-00-7005).....	No limit

Provided, That notwithstanding the provisions of K.S.A. 79-3221n, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, any moneys in such fund where a taxpayer fails to designate a unified school district on such taxpayer’s individual income tax return may be expended by the above agency to distribute to unified school districts.

Governor’s teaching excellence scholarships program repayment fund (652-00-7221)	No limit
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Provided, That all expenditures from the governor’s teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-2166, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1-for-\$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor’s teaching excellence scholarships 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 governor’s teaching excellence scholarships program repayment fund.

Private donations, gifts, grants and bequests fund (652-00-7307)	No limit
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Family and children investment fund (652-00-7375).....No limit

(c) There is appropriated for the above agency from the children’s initiatives fund for the fiscal year ending June 30, 2024, the following:

Children’s cabinet
accountability fund (652-00-2000-2402).....\$375,000

Provided, That any unencumbered balance in the children’s cabinet accountability fund account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

CIF grants (652-00-2000-2408).....\$23,720,493

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

Parent education program (652-00-2000-2510).....\$9,437,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Pre-K pilot (652-00-2000-2535)\$4,200,000

Provided, That any unencumbered balance in the pre-K pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Early childhood infrastructure (652-00-2000-2555).....\$1,400,773

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

Imagination library (652-00-2000-2560)\$1,500,000

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

(d) On July 1, 2023, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2024, and June 30, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267

or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund 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 that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2023, and quarterly thereafter, the director of accounts and reports shall transfer \$81,250 from the state highway fund (276-00-4100-4100) of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2023, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2024, the following:

Children’s cabinet administration (652-00-7000-7001)\$268,534
Provided, That any unencumbered balance in the children’s cabinet administration account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(j) During the fiscal year ending June 30, 2024, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024 from the state general fund for the department of education to another item of appropriation for fiscal year 2024 from the state general fund for the department of education. The commissioner of education 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 expanded lottery act revenues fund for the fiscal year ending June 30, 2024, the following:

KPERS – school employer contribution (652-00-1700-1700).....\$43,788,676

Provided, That during the fiscal year ending June 30, 2024, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652-00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to survey school districts and submit to the senate committee on education and the house of representatives committees on education and K-12 education budget a list of all school districts that used curriculum and training materials that include the three cueing systems model of reading or visual memory program in the preceding school year.

New Sec. 3.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

State foundation aid (652-00-1000-0820).....\$ 2,825,725,000

Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Supplemental state aid (652-00-1000-0840)\$590,000,000

Provided, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Special education services aid (652-00-1000-0700).....\$535,518,818

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures shall not

be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422, 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, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393)	No limit
Mineral production education fund (652-00-7669-7669)	No limit

New Sec. 4. (a) Within 30 days after the board of education of a school district adopts a resolution to dispose of a school district building pursuant to K.S.A. 72-3216, and amendments thereto, such board of education shall submit written notice of its intention to dispose of such building to the legislature. Such notice shall be filed with the chief clerk of the house of representatives and the secretary of the senate and shall contain the following:

- (1) A description of the school district's use of such building immediately prior to the decision to dispose of such building;
- (2) the reason for such building's disuse and the decision to dispose of such building;
- (3) the legal description of the real property to be disposed of; and
- (4) a copy of the resolution adopted by the board of education.

(b) (1) If the notice required under subsection (a) is received by the legislature during a regular legislative session, then the legislature shall have 45 days to adopt a concurrent resolution in accordance with subsection (c) stating the legislature's intention for the state to acquire such building.

(2) If the notice required under subsection (a) is received when the legislature is not in regular session, then the legislature shall have 45 days from the commencement of the next regular session to adopt a concurrent resolution in accordance with subsection (c) stating the legislature's intention for the state to acquire such building.

(3) If the legislature does not adopt a concurrent resolution in accordance with subsection (c) within the 45-day period, then the school district may proceed with the disposition of such school district building in accordance with state law.

(c) The legislature may adopt a concurrent resolution stating the legislature's intention that the state acquire the school district building. Such concurrent resolution shall include:

- (1) The name of the school district that owns such building;
- (2) the information contained in the written notice as described in subsection (a)(1) through (3); and
- (3) the state agency that intends to acquire such building and the intended use of such building upon acquisition.

(d) Upon adoption of a concurrent resolution in accordance with subsection (c), the state agency named in such resolution shall have 180 days to complete the acquisition of such school district building and take title to the real property. Upon request of the state agency acquiring the school district building, the legislative coordinating council may extend the 180-day period for a period of not more than 60 days. The board of education of the school district shall not sell, gift, lease or otherwise convey such building or any of the real property described in the written notice or take any action or refrain from taking any action that would diminish the value of such property during the 180-day period or any extension thereof. If the state agency does not take title to the property within the 180-day period or any extension thereof, then the school district may proceed with disposition of such school district building in accordance with state law and any written agreements entered into between such state agency and the school district.

(e) For purposes of this section, the term "state agency" means any state agency, department, authority, institution, division, bureau or other state governmental entity.

New Sec. 5. (a) Any student who meets the requirements of this section shall be permitted to participate in any activities offered by a school district that are regulated, supervised, promoted and developed by the activities association referred to in K.S.A. 72-7114, and amendments thereto. A student shall be permitted to participate in any such activities if such student:

- (1) Is a resident of the school district;
- (2) is enrolled and attending a nonpublic elementary or secondary school;
- (3) complies with the requirements of K.S.A. 72-6262, and amendments thereto, prior to participation in any such activity;
- (4) meets any applicable age and eligibility requirements set forth by the activities association referred to in K.S.A. 72-7114, and amendments thereto, that are not otherwise in conflict with this section;

(5) pays any fees required by the school district for participation in such activity if such fees are generally imposed upon all other students who participate in such activity; and

(6) seeks participation at the appropriate school of the school district that corresponds to where such student resides within the school district's respective school attendance boundaries established by the board of education of the school district.

(b) (1) Any student attending a home school who seeks to participate in an activity in the student's resident school district shall be deemed to meet any academic eligibility requirements established by the activities association for participation in an activity if:

(A) The student is maintaining satisfactory progress towards achievement or promotion to the next grade level; and

(B) the parent, teacher or organization that provides instruction to the student submits an affidavit or transcript to the activities association indicating the student meets the academic eligibility requirements of subparagraph (A).

(2) Upon submission of an affidavit, the student attending a home school shall be deemed to meet any academic eligibility requirements established by the activities association and shall retain such academic eligibility during the activity season for which such affidavit is submitted.

(c) The board of education of a school district may require a student who participates in an activity pursuant to this section to enroll in a particular course or complete a particular course as a condition of participation, if such requirement is imposed upon all other students who participate in such activity.

(d) Except as provided in subsection (b), any student who seeks to participate in an activity pursuant to this section shall be subject to any tryout or other participation requirements that are otherwise applicable to all other students for participation in the activity.

(e) This section shall take effect on and after July 1, 2023.

New Sec. 6. (a) The activities association referred to in K.S.A. 72-7114, and amendments thereto, shall not prohibit a student primarily enrolled in and attending a nonpublic school who enrolls part time in a public school from participating in any activity available to such student as part of such student's primary enrollment and attendance at a nonpublic school.

(b) This section shall take effect on and after July 1, 2023.

New Sec. 7. (a) There is hereby established the special education and related services funding task force. The task force shall be composed of 11 members, as follows:

(1) Two members appointed by the speaker of the house of representatives;

- (2) two members appointed by the president of the senate;
- (3) one member appointed by the minority leader of the house of representatives;
- (4) one member appointed by the minority leader of the senate;
- (5) one member appointed by the state board of education;
- (6) two members appointed by the state department of education who are professionals in the field of special education and related services;
- (7) one member appointed by the state department of education who is a professional in early childhood developmental services and provides services for a tiny-K program; and

(8) one member who shall be a parent of a student who receives special education services. In calendar year 2023, and every second succeeding calendar year thereafter, such member shall be appointed by the speaker of the house of representatives. In calendar year 2024, and every second succeeding calendar year thereafter, such member shall be appointed by the president of the senate.

(b) Members shall be appointed to the task force on or before July 1, 2023. The speaker of the house of representatives shall designate one member appointed by the speaker of the house of representatives to call the first meeting of the task force. Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(c) (1) If approved by the legislative coordinating council, members of the task force attending meetings authorized by the task force shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(2) The members of the task force shall select a chairperson and vice chairperson from the membership of the task force.

(3) The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be six members. All actions of the task force shall be by motion adopted by a majority of those voting members present when there is a quorum.

(4) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the task force.

(5) The staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the task force. The state board of education shall provide consultants and assistance when requested by the task force. The state board of education and school districts shall provide any information or documentation requested by the task force.

(d) The special education and related services funding task force shall:

(1) Study and make recommendations for changes in the existing formula for funding of special education and related services;

(2) conduct hearings and receive and consider suggestions from teachers, parents, the department of education, the state board of education, other governmental officers and agencies and the general public concerning funding for special education and related services; and

(3) make and submit reports to the legislature on the work of the task force concerning recommendations of the task force. Such reports shall include recommendations for legislative changes and be submitted to the legislature on or before January 14 of each year.

Sec. 8. K.S.A. 72-1137 is hereby amended to read as follows: 72-1137. In addition to the officers provided for in this act, the board of education of any school district may appoint other officers and employees to serve at the pleasure of the board. Such officers and employees shall receive compensation fixed by the board. ~~No member of a board of education shall receive compensation from the school district for any work or duties performed by him.~~ *Members of a board of education of a school district may receive compensation from the school district for the work and duties performed by such board members.*

Sec. 9. K.S.A. 72-3123, as amended by section 16 of chapter 94 of the 2022 Session Laws of Kansas, is hereby amended to read as follows: 72-3123. (a) Beginning in school year 2024-2025, any child of school age pursuant to K.S.A. 72-3118, and amendments thereto, may attend a school operated by a school district where such child does not reside if such school district has open seats as determined pursuant to this section.

(b) The board of education of any school district shall permit nonresident students to enroll in and attend the schools of the district if such school district has open seats as determined pursuant to this section.

(c) Each school district shall determine capacity in each school of the school district for the following school year as follows:

(1) For kindergarten and grades one through eight, the classroom student-teacher ratio in each grade level; and

(2) for grades nine through 12, the student-teacher ratio for each school building or program in each school building, including, but not limited to, advanced placement or international baccalaureate programs.

(d) (1) On or before May 1 of each year, each school board shall determine for each grade level in each school building of the school district for the next succeeding school year the:

(A) Capacity as determined pursuant to subsection (c);

(B) number of students expected to attend school in the school district; and

(C) number of open seats available to nonresident students.

(2) On or before June 1 of each year, each school district shall publish on such school district's website the number of open seats available to nonresident students in each grade level for each school building of the school district for the next succeeding school year.

(3) From June 1 through June 30, each school district shall accept applications from nonresident students. Applications shall be on a form and in a manner determined by the school district.

(4) If the number of applications for a grade level in a school building is less than the number of available seats for such grade level in such school building, the nonresident students shall be accepted for enrollment and attendance at such school district. If the number of applications for a grade level in a school building is greater than the number of available seats for such grade level in such school building, the school district shall randomly select nonresident students using a confidential lottery process. Such process shall be completed on or before July 15 of each year.

(5) The school district shall provide to the parent or person acting as parent of a nonresident student who was not accepted for or denied enrollment at such school district the reason for the nonacceptance or denial and an explanation of the nonresident student selection process.

(e) (1) Subject to capacity, school districts shall give priority to any sibling of a nonresident student who was accepted to enroll in and attend such school district. Priority shall be given when the nonresident student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such sibling shall not be subject to the open seat lottery.

(2) *Subject to capacity, school districts shall give priority to any nonresident student who is a military student as defined in K.S.A. 72-5139, and amendments thereto. Priority shall be given when the military student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such military student shall not be subject to the open seat lottery.*

(3) Any child who is in the custody of the department for children and families and who is living in the home of a nonresident student who transfers may attend school in the receiving school district.

(4) *Any nonresident student who has a parent or person acting as parent employed by a school district shall be permitted to enroll in and attend such school district as if the student is a resident of the school district. Any such student shall not be subject to the open-seat lottery established pursuant to subsection (d) when enrolling in and attending the school district where the parent or person acting as parent is employed.*

(5) *Any child who is experiencing homelessness shall be permitted to enroll in and attend the school district of origin or the school district of residence.*

(f) A school district shall not:

(1) Charge tuition or fees to any nonresident student who transfers to such school district pursuant to this section except fees that are otherwise charged to every student enrolled in and attending school in the district; or

(2) accept or deny a nonresident student transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability.

(g) A nonresident student who has been accepted for enrollment and attendance at a receiving school district shall be permitted to continue such enrollment and attendance in such school district until such student graduates from high school, unless such student is no longer in good standing. A receiving school district may deem a nonresident student as not in good standing in accordance with such school district's nonresident transfer policy. *Prior to making any determination to deem a nonresident student as not in good standing, a district shall consider a student's status as a homeless child and the resulting factors of homelessness on such student's standing.*

(h) A student may always enroll at any time in the school district where such student resides.

(i) Except for a child in the custody of the department for children and families *or a child who is experiencing homelessness*, a nonresident student shall not transfer more than once per school year to one or more receiving school districts pursuant to the provisions of this section.

(j) A receiving school district shall not be required to provide transportation to nonresident students. If space is available on school district transportation vehicles, a school district may provide nonresident students an in-district bus stop where transportation may be provided by such school district to and from such bus stop and the school for such nonresident students. *A school district shall ensure that transportation for nonresident homeless students is provided comparably to that of housed students.*

(k) Each school district board of education shall submit to the state department of education *the school district's policy adopted pursuant to K.S.A. 2022 Supp. 72-3126, and amendments thereto*, the number of nonresident student transfers approved and denied by such board *in each grade level* and whether the denials were based on capacity or in accordance with the policy adopted pursuant to ~~section 9~~ *K.S.A. 2022 Supp. 72-3126, and amendments thereto*. The state department of education shall collect and report such data on such department's website and make such data available to the legislative division of post audit.

(l) (1) Each year, the state department of education, as part of the department's enrollment audit, shall audit the nonresident student capacity and enrollment.

(2) In calendar year 2027, the legislative post audit committee shall direct the legislative division of post audit to conduct an audit of non-resident student transfers pursuant to this section. Such audit shall be reported to the legislative post audit committee on or before January 15, 2028, and subsequently presented to the house standing committee on K-12 education budget and the senate standing committee on education, or any successor committees.

(m) Nothing in this section shall be construed to exempt any nonresident student who transfers to a receiving school district pursuant to this section from the policies and requirements of the activities association referred to in K.S.A. 72-7114, and amendments thereto.

(n) The provisions of this section shall not apply to any school located on a military installation as defined in K.S.A. 72-8268, and amendments thereto.

Sec. 10. K.S.A. 2022 Supp. 72-3126 is hereby amended to read as follows: 72-3126. (a) (1) On or before January 1, 2024, each board of education of a school district shall adopt a policy to determine the number of nonresident students that the school district has the capacity to accept in each grade level for each school of the school district pursuant to K.S.A. 72-3123, and amendments thereto. Such policies shall clearly specify the reasons that the board may use to deny continued enrollment of a non-resident student who is not in good standing. Such reasons for a denial of continued enrollment may include, but shall not be limited to, the non-resident student's record of school absenteeism and repeated suspensions or expulsions.

(2) *A school district's policy adopted pursuant to this section shall consider the adverse impact of homelessness on a student's attendance and any resulting suspensions or expulsions before making a determination on the continued enrollment of a student who is homeless. A district shall consider the obstacles a homeless student faces to arrive at school on time or each day due to housing instability, lack of transportation or lack of other basic resources that can hinder consistent attendance.*

(b) Prior to adopting such policy, the board of education shall call and hold a hearing on the proposed policy. The board of education shall provide notice of such hearing, which shall include the time, date and place of the public hearing to be held on the proposed policy. Such notice shall be published at least once each week for two consecutive weeks in a newspaper of general circulation in the school district and shall also be posted on the school district's website.

(c) At such hearing, a representative of the board shall present the board's proposal for the policy and the board shall hear testimony regarding the proposed policy. Following the public hearing, after consideration of the testimony and evidence presented or submitted at such public

hearing, the board shall determine whether to adopt or revise the proposed policy at a subsequent public meeting of the board.

(d) The policy adopted pursuant to subsection (a) shall be published on the school district's website.

(e) The provisions of this section shall not apply to any school located on a military installation, as defined in K.S.A. 72-8268, and amendments thereto.

~~(f) This section shall take effect and be in force from and after July 1, 2023.~~

Sec. 11. K.S.A. 72-3216 is hereby amended to read as follows: 72-3216. (a) (1) Subject to ~~provision paragraph (2) of this subsection~~, every unified school district shall maintain, offer and teach kindergarten and grades one through 12 and shall offer and teach at least 30 units of instruction for ~~pupils~~ *students* enrolled in grades nine through 12 in each high school operated by the board of education. The units of instruction, to qualify for the purpose of this section, shall have the prior approval of the state board of education.

(2) Any unified school district which has discontinued kindergarten, any grade or unit of instruction under authority of K.S.A. 72-13,101, and amendments thereto, and has entered into an agreement with another unified school district for the provision of kindergarten or any such grade or unit of instruction has complied with the kindergarten, grade and unit of instruction requirements of this section.

(b) The board of education shall adopt all necessary rules and regulations for the government and conduct of its schools, consistent with the laws of the state.

(c) The board of education may divide the district into subdistricts for purposes of attendance by pupils.

(d) The board of education shall have the title to and the care and keeping of all school buildings and other school property belonging to the district. The board may open any or all school buildings for community purposes and may adopt rules and regulations governing use of school buildings for those purposes. School buildings and other school properties no longer needed by the school district may be disposed of by the board upon the affirmative recorded vote of not less than a majority of the members of the board at a regular meeting. *Subject to the provisions of section 4, and amendments thereto*, the board may dispose of the property in such manner and upon such terms and conditions as the board deems to be in the best interest of the school district. Conveyances of school buildings and other school properties shall be executed by the president of the board and attested by the clerk.

(e) The board shall have the power to acquire personal and real property by purchase, gift or the exercise of the power of eminent domain in accordance with K.S.A. 72-1144, and amendments thereto.

Sec. 12. On and after July 1, 2023, K.S.A. 2022 Supp. 72-4352 is hereby amended to read as follows: 72-4352. As used in the tax credit for low income students scholarship program act:

(a) “Contributions” means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) “Department” means the Kansas department of revenue.

(c) “Educational scholarship” means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) “Eligible student” means a child who:

(1) Resides in Kansas; and

(2) (A) (i) ~~Is eligible for free or reduced price meals under the national school lunch act~~ *Has an annual family income that is less than or equal to 250% of the federal poverty guidelines as determined annually in the federal register by the United States department of health and human services under 42 U.S.C. § 9902(2); and*

(ii) (a) was enrolled in kindergarten or any of the grades one through eight in any public school in the previous school year in which an educational scholarship is first sought for the child; or

(b) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is seven years of age or under; or

(B) has received an educational scholarship under the program and has not graduated from high school or reached the age of 21 years.

(e) “Parent” includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) “Program” means the tax credit for low income students scholarship program established in K.S.A. 72-4351 through 72-4357, and amendments thereto.

(g) “Public school” means any school operated by a unified school district under the laws of this state.

(h) “Qualified school” means any nonpublic school that:

(1) Provides education to elementary or secondary students;

(2) is accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure *or is working in good faith toward such accreditation;*

(3) has notified the state board of its intention to participate in the program; and

(4) complies with the requirements of the program.

(i) “Scholarship granting organization” means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) “School district” or “district” means any unified school district organized and operating under the laws of this state.

(k) “School year” means the same as in K.S.A. 72-5132, and amendments thereto.

(l) “Secretary” means the secretary of revenue.

(m) “State board” means the state board of education.

Sec. 13. On and after July 1, 2023, K.S.A. 72-4357 is hereby amended to read as follows: 72-4357. (a) (1) There shall be allowed a credit against the corporate income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years commencing after December 31, 2014, and ending before January 1, 2017, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 72-4351 et seq., and amendments thereto.

(2) There shall be allowed a credit against the tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto;

(A) For tax years commencing after December 31, 2016, *and ending before January 1, 2022*, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 72-4351 et seq., and amendments thereto; *and*

(B) *for tax years commencing after December 31, 2022, an amount equal to 75% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 72-4351 et seq., and amendments thereto.*

(3) In no event shall the total amount of contributions for any taxpayer allowed under this subsection exceed \$500,000 for any tax year.

(b) The credit shall be claimed and deducted from the taxpayer's tax liability during the tax year in which the contribution was made to any such scholarship granting organization.

(c) For each tax year, in no event shall the total amount of credits allowed under this section exceed \$10,000,000 for any one tax year. Except as otherwise provided, the allocation of such tax credits for each scholarship granting organization shall be determined by the scholarship granting organization in consultation with the secretary, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section.

(d) If the amount of any such tax credit claimed by a taxpayer exceeds the taxpayer's income, privilege or premium tax liability, such excess amount may be carried over for deduction from the taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from tax liability.

(e) The secretary shall adopt rules and regulations regarding filing of documents that support the amount of credit claimed pursuant to this section.

[†]

Sec. 15. On and after July 1, 2023, K.S.A. 2022 Supp. 72-5142 is hereby amended to read as follows: 72-5142. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible property of the school district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the school district's general fund budget that is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment school district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district.

(b) The tax required under subsection (a) shall be levied at a rate of 20 mills in the school years ~~2021-2022~~ 2023-2024 and ~~2022-2023~~ 2024-2025.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose described in subsection (a)(3), shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the

entire amount in the state treasury to the credit of the state school district finance fund.

(d) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

Sec. 16. On and after July 1, 2023, K.S.A. 72-5149 is hereby amended to read as follows: 72-5149. (a) *Except as provided in subsection (c)*, the low enrollment weighting of each school district shall be determined by the state board as follows:

(1) For school districts with an enrollment of fewer than 100 students, multiply the enrollment of the school district by 1.014331. The resulting product is the low enrollment weighting of the school district;

(2) for school districts with an enrollment of at least 100 students, but fewer than 300 students:

(A) Subtract 100 from the enrollment of the school district;

(B) multiply the difference obtained under subsection (a)(2)(A) by 9.655;

(C) subtract the product obtained under subsection (a)(2)(B) from 7,337;

(D) divide the difference obtained under subsection (a)(2)(C) by 3,642.4;

(E) subtract one from the quotient obtained under subsection (a)(2)(D); and

(F) multiply the difference obtained under subsection (a)(2)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district;

(3) for school districts with an enrollment of at least 300 students, but fewer than 1,622 students:

(A) Subtract 300 from the enrollment of the school district;

(B) multiply the difference obtained under subsection (a)(3)(A) by 1.2375;

(C) subtract the product obtained under subsection (a)(3)(B) from 5,406;

(D) divide the difference obtained under subsection (a)(3)(C) by 3,642.4;

(E) subtract one from the quotient obtained under subsection (a)(3)(D); and

(F) multiply the difference obtained under subsection (a)(3)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district.

(b) For school districts with an enrollment of at least 1,622 students, multiply the enrollment of the school district by 0.03504. The resulting product is the high enrollment weighting of the school district.

(c) *Any school district that receives the low enrollment weighting and attaches territory of all or part of a disorganized school district or ac-*

cepts students in the current school year who attended a school building that was closed by another school district pursuant to K.S.A. 72-1431, and amendments thereto, in the preceding school year shall maintain the low enrollment weighting factor such school district received in the school year immediately preceding such attachment or acceptance for the next three succeeding school years or may receive the low enrollment weighting factor determined pursuant to subsection (a), whichever is greater.

Sec. 17. On and after July 1, 2023, K.S.A. 2022 Supp. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district.

(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:

(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;

(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or

(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk student weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) School districts that qualify to receive the high-density at-risk student weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk student weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high-density at-risk student weighting does not spend such money on such best practices, the state board shall notify the school district that it shall repay such money to the school district's at-risk education fund. On or before January 15 of each year, the state board shall notify the house and senate standing committees on education, or any successor committees, which school districts had to repay such money and the amount of money such school district repaid for the preceding school year. If a school district does not spend such money on such best practices for three consecutive years, the school district shall not qualify to receive the high-density at-risk student weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, ~~2024~~ 2027.

(c) The purpose of the at-risk student weighting and the high-density at-risk student weighting is to provide students identified as eligible to receive at-risk programs and services with evidence-based educational services in addition to regular instructional services.

(d) Upon a school district's receipt of state foundation aid, that portion of such state foundation aid that is directly attributable to such school district's at-risk student weighting and high-density at-risk student weighting, if any, shall be transferred to the district's at-risk education fund established under K.S.A. 72-5153, and amendments thereto.

Sec. 18. On and after July 1, 2023, K.S.A. 72-5159 is hereby amended to read as follows: 72-5159. (a) Subject to subsection (b), the board of education of a school district may levy a tax on the taxable tangible property within the school district for the purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost-of-living weighting to the enrollment of the school district.

(b) The state board shall determine whether a school district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under subsection (b)(1) by ~~1.25~~ 1.15;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) subtract the amount determined under subsection (b)(2) from the amount determined under subsection (b)(3). If the amount determined for the school district is a positive number and the school district has adopted a local option budget in an amount equal to at least 31% of the total foundation aid for the school district, the school district qualifies for assignment of cost-of-living weighting and may levy a tax on the taxable tangible property of the school district for the purpose of financing the costs that are attributable directly to assignment of the cost-of-living weighting to the enrollment of the school district.

(c) (1) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the school district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,
 _____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an ad valorem tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost-of-living weighting to the enrollment of the school district. The ad valorem tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____,
 _____ County, Kansas, on the ____ day of _____, (year)____.

 Clerk of the board of education.

(2) All of the blanks in the resolution shall be filled appropriately. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the ad valorem tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the

county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision is in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast is not in favor of the resolution, the resolution shall be deemed of no force and effect and no like resolution shall be adopted by the board within the nine months following such election.

(d) There is hereby established in every school district a cost-of-living fund, which shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost-of-living fund. The proceeds from the tax levied by a school district credited to the cost-of-living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(e) In determining the amount produced by the tax levied by the school district under the authority of this section, the state board shall include any moneys apportioned to the cost-of-living fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(f) The cost-of-living weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the enrollment of the school district as follows:

(1) Divide the amount determined under subsection (b)(4) by the amount determined under subsection (b)(2);

(2) multiply the quotient determined under subsection (f)(1) by ~~0.095~~ 0.115;

(3) multiply the school district's total foundation aid for the current school year, excluding the amount determined under this provision, by the lesser of the product determined under subsection (f)(2) or ~~0.05~~ the cost-of-living weighting cap which shall be:

(A) 0.07 in school year 2023-2024; and

(B) for school year 2024-2025, and each school year thereafter, the amount of the cost-of-living weighting cap for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest 10th of a percentage; and

(4) divide the product determined under subsection (f)(3) by the BASE aid for the current school year. The quotient is the cost-of-living weighting of the school district.

Sec. 19. K.S.A. 2022 Supp. 72-5462 is hereby amended to read as follows: 72-5462. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district that is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to July 1, 2022, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to July 1, 2022; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or after July 1, 2022, the state board of education shall:

(A) Except as provided in subsection (b)(9), determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(3);

(B) except as provided in subsection (b)(9), prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 51%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2022; and

(E) multiply the amount determined under subsection (b)(3)(D) by the applicable state aid percentage factor.

(4) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(5) (A) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) or (b)(3)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(B) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(C) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(D) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(6) prior to an election to approve the issuance of general obligation bonds.

(6) Except as provided in subsections (b)(7) through (b)(9), the sum of the amounts determined under subsection (b)(4) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(5), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(7) A school district that had an enrollment of less than 260 students in the school year immediately preceding the school year in which an election is held to approve the issuance of general obligation bonds shall not be entitled to receive payments from the school district capital improvements fund unless such school district applied for and received approval from the state board of education to issue such bonds prior to holding an election to approve such bond issuance. The provisions of this paragraph shall apply to general obligation bonds approved for issuance at an election held on or after July 1, 2017, that are issued for the purpose of financing the construction of new school facilities.

(8) For general obligation bonds approved for issuance at an election held on or after July 1, 2017, in determining the amount under subsection (b)(2)(D) and (b)(3)(D), the state board shall exclude payments for any capital improvement project, or portion thereof, that proposes to construct, reconstruct or remodel a facility that would be used primarily for extracurricular activities, unless the construction, reconstruction or remodeling of such facility is necessary due to concerns relating to the safety of the current facility or disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation.

(9) For general obligation bonds approved for issuance at an election held on or after July 1, 2022, the state board of education shall:

(A) In preparing the schedule of dollar amounts pursuant to subsection (b)(3)(B), exclude unified school district No. 207, Fort Leavenworth,

from such schedule and determine the point of beginning based on the amount of the AVPP of the school district with the lowest AVPP of the remaining school districts; and

(B) in determining the amount of the AVPP of a school district, exclude the number of students enrolled in a virtual school, as defined in K.S.A. 72-3712, and amendments thereto, that is offered by such school district from the determination of the AVPP of such school district.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ~~year ending June 30, 2022,~~ June 30, 2023, ~~and June 30, 2024,~~ shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Each year, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(5)(D).

Sec. 20. K.S.A. 72-1137, 72-3123, as amended by section 16 of chapter 94 of the 2022 Session Laws of Kansas, and 72-3216 and K.S.A. 2022 Supp. 72-3126 and 72-5462 are hereby repealed.

Sec. 21. On and after July 1, 2023, K.S.A. 72-4357, 72-5149 and 72-5159 and K.S.A. 2022 Supp. 72-4352,

[†]

72-5142 and 72-5151 are hereby repealed.

Sec. 22. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved May 18, 2023.

Published in the *Kansas Register* June 8, 2023.

† Section 1(c) was line-item vetoed.

† A portion of section 2(a) was line-item vetoed.

† Section 14 was line-item vetoed.

† A portion of section 21 was line-item vetoed.

(See Messages from the Governor)

CHAPTER 99

SENATE CONCURRENT RESOLUTION No. 1601

A CONCURRENT RESOLUTION informing the Governor that the two houses of the Legislature are duly organized and ready to receive communications.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Secretary of the Senate and the Chief Clerk of the House of Representatives be appointed to wait upon the Governor and inform the Governor that the two houses of the Legislature are duly organized and are ready to receive any communications the Governor may have to present.

Adopted by the House January 9, 2023.

Adopted by the Senate January 9, 2023.

CHAPTER 100

HOUSE CONCURRENT RESOLUTION No. 5001

A CONCURRENT RESOLUTION providing for joint sessions of the Senate and the House of Representatives for the purpose of hearing messages from the Governor and the Supreme Court.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives shall meet in joint session in Representative Hall at 6:00 p.m. on January 11, 2023, for the purpose of hearing a message from the Governor.

Be it further resolved: That the Senate and the House of Representatives shall meet in joint session in Representative Hall at 1:15 p.m. on January 11, 2023, for the purpose of hearing a message from the Supreme Court on the judicial branch of government.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Supreme Court Justices.

Adopted by the House January 9, 2023.

Adopted by the Senate January 10, 2023.

CHAPTER 101

HOUSE CONCURRENT RESOLUTION No. 5003

A CONCURRENT RESOLUTION providing for a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Governor.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives shall meet in joint session in Representative Hall at 6:00 p.m. on January 24, 2023, for the purpose of hearing a message from the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

Adopted by the House January 18, 2023.

Adopted by the Senate January 18, 2023.

CHAPTER 102

HOUSE CONCURRENT RESOLUTION No. 5002

A CONCURRENT RESOLUTION adopting joint rules for the Senate and the House of Representatives for the 2023-2024 biennium.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2023-2024 biennium.

JOINT RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES
2023-2024

Joint Rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation. (a) *Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.* Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) *Amendment, suspension or revocation of joint rules; previous notice; vote required.* After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of 2/3 of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following condi-

tions: (1) The concurrent resolution is sponsored by the speaker or the president; and (2) either: (a) A copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence; or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

Joint Rule 2. Joint sessions. (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

Joint Rule 3. Conference committee procedure. (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent

resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the

president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not fewer than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to

all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of 2/3 of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt*

report requesting new conference committee. If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

Joint Rule 4. Deadlines for introduction and consideration of bills. The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on January 30, 2023, during the 2023 regular session and on January 29, 2024, during the 2024 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 8, 2023, during the 2023 regular session and on February 7, 2024, during the 2024 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation

shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 6, 2023, during the 2023 regular session and on February 5, 2024, during the 2024 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 10, 2023, during the 2023 regular session and on February 9, 2024, during the 2024 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 24, 2023, during the 2023 regular session and on February 23, 2024, during the 2024 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 29, 2023, during the 2023 regular session and on March 28, 2024, during the 2024 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b)

and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 6, 2023, during the 2023 regular session and after April 5, 2024, during the 2024 regular session except bills vetoed by the governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

Joint Rule 5. Closure of meetings to consider matters relating to security. Any standing committee of the house of representatives, any standing committee of the senate, the legislative coordinating council, any joint committee of both houses of the legislature, any special or select committee of the house of representatives or the senate, the house of representatives in session, the senate in session or a joint session of the house of representatives and the senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas.

Adopted by the House January 26, 2023.

Adopted by the Senate February 2, 2023.

CHAPTER 103

SENATE CONCURRENT RESOLUTION No. 1602

A CONCURRENT RESOLUTION disapproving the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service and supporting efforts to remove such designation.

WHEREAS, On November 17, 2022, the United States Fish and Wildlife Service listed the lesser prairie chicken as threatened under the Endangered Species Act; and

WHEREAS, This designation creates unnecessary obstacles for Kansas farmers, ranchers and energy producers who wish to manage their own land; and

WHEREAS, The designation of the lesser prairie chicken as threatened is detrimental to Kansas' agriculture and energy industries; and

WHEREAS, On December 21, 2022, Senators Roger Marshall and Jerry Moran co-sponsored Senate Joint Resolution 70, a Congressional Review Act resolution stating congressional disapproval of the designation of the lesser prairie chicken as threatened; and

WHEREAS, Representatives Ron Estes, Jake LaTurner and Tracey Mann co-sponsored House Joint Resolution 105, addressing the same issue in the House of Representatives; and

WHEREAS, If the resolutions pass, their passage would prevent the designation from going into effect; and

WHEREAS, The resolutions would affirm the rights of farmers, ranchers and energy producers to control their lands and continue their existing proactive measures to protect the lesser prairie chicken: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That we disapprove the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service; and

Be it further resolved: That we support the passage of Senate Joint Resolution 70 and House Joint Resolution 105, which would return control to the farmers, ranchers and energy producers of Kansas; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to Senator Kerschen.

Adopted by the House February 9, 2023.

Adopted by the Senate January 23, 2023.

CHAPTER 104

HOUSE CONCURRENT RESOLUTION No. 5012

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2023 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on February 23, 2023, and shall reconvene on March 1, 2023; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

Adopted by the House February 23, 2023.

Adopted by the Senate February 23, 2023.

CHAPTER 105

HOUSE CONCURRENT RESOLUTION No. 5015

A CONCURRENT RESOLUTION relating to the adjournment of the House of Representatives for a period of time during the 2023 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the House of Representatives shall adjourn at the close of business of the daily session convened on March 29, 2023, and shall reconvene on April 3, 2023; and

Be it further resolved: That the chief clerk of the House of Representatives and the secretary of the Senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the House of Representatives 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 the House of Representatives is adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the House of Representatives 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 such members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

Adopted by the House March 29, 2023.

Adopted by the Senate March 29, 2023.

CHAPTER 106

SENATE CONCURRENT RESOLUTION No. 1603

A CONCURRENT RESOLUTION urging the President of the United States to consider current geopolitical tensions and support policies to ensure America's long-term energy affordability, security, leadership and progress.

WHEREAS, On February 24, 2022, Russia began a full-scale invasion of Ukraine; and

WHEREAS, The ramifications of this invasion have rippled across the world, leaving economic uncertainty in its wake; and

WHEREAS, The world looks to the United States for energy leadership and stability as the current geopolitical events continue to pose economic disruptions at a time when inflation continues to adversely affect households worldwide; and

WHEREAS, Energy independence and national security should be a priority, as nothing is more essential to economic growth than reliable, affordable and abundant energy; and

WHEREAS, Punitive, unnecessary and burdensome regulations on small businesses in the oil and gas industry hinders progress toward energy independence; and

WHEREAS, America must take a stand and immediately stop importing all oil, gas and biofuels from our country's adversaries: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That we urge President Biden to reject unscientific environmental mandates that restrict domestic energy production and raise costs for American families; and

Be it further resolved: That we urge the President of the United States to consider current geopolitical tensions and support policies that ensure America's long-term energy affordability, security, leadership and progress, including actions to increase investment in domestic refineries and natural gas production; and

Be it further resolved: That we urge the President of the United States to expand domestic energy production and ensure energy reliability and affordability for consumers by cutting through the bureaucratic red tape purposefully hampering the building of energy infrastructure, especially pipelines; and

Be it further resolved: That we urge the President of the United States to reevaluate energy policies that have curtailed domestic production of oil and natural gas; and

Be it further resolved: That we urge the President of the United States to utilize our nation's abundant natural resources and relationships with

energy-producing allies as leverage against a Russian regime that is intent on disrupting world peace and threatening global stability; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to the President of the United States Joseph R. Biden and three enrolled copies to Senators Billinger and Fagg and to Representatives Delperdang, Turner and Ohaebosim.

Adopted by the House March 29, 2023.

Adopted by the Senate April 4, 2023.

CHAPTER 107

SENATE CONCURRENT RESOLUTION No. 1612

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2023 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on April 6, 2023, and shall reconvene proforma on April 24, 2023; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

Adopted by the House April 6, 2023.

Adopted by the Senate April 6, 2023.

CHAPTER 108

HOUSE CONCURRENT RESOLUTION No. 5016

A CONCURRENT RESOLUTION relating to the adjournment sine die of the Senate and House of Representatives during the 2023 regular session of the legislature.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein: That the legislature shall adjourn sine die at the close of business of the daily session convened on April 28, 2023.

Adopted by the House April 28, 2023.

Adopted by the Senate April 28, 2023.

MESSAGES FROM THE GOVERNOR

HOUSE BILL No. 2238

AN ACT concerning education; relating to student athletes; creating the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations of the act.

Message to the Legislature of the State of Kansas

As I've said before, we all want a fair and safe place for our kids to play and compete.

That's why I support the Kansas State High School Activities Association, which was set up to ensure nobody has an unfair advantage on the playing field. The Legislature should let the Association do its job.

Let's be clear about what this bill is all about – politics. It won't increase any test scores. It won't help any kids read or write. It won't help any teachers prepare our kids for the real world. Here's what this bill would actually do: harm the mental health of our students. That's exactly why Republican governors have joined me in vetoing similar bills.

This bill would also reverse the progress we've made in recruiting businesses and creating jobs. It would send a signal to prospective companies that Kansas is more focused on unnecessary and divisive legislation than becoming a place where young people want to work and raise a family.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2238.

Laura Kelly, *Governor*

Dated March 17, 2023.

HOUSE BILL No. 2304

AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts.

Message to the Legislature of the State of Kansas

Kansas law makes it clear that it is the role of local school boards and the State Board of Education to establish curriculum and educational standards for our students.

This bill is yet again an act of legislative overreach, an attempt to override our locally elected leaders and insert partisan politics into our children's education.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2304.

Laura Kelly, *Governor*

Dated April 14, 2023.

HOUSE BILL No. 2313

AN ACT concerning health and healthcare; creating the born-alive infants protection act; providing legal protections for infants born alive; requiring certain standards of care by health-care providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act; amending K.S.A. 65-445 and repealing the existing section.

Message to the Legislature of the State of Kansas

This bill is misleading and unnecessary. Federal law already protects newborns, and the procedure being described in this bill does not exist in Kansas in the era of modern medicine.

The intent of this bill is to interfere in medical decisions that should remain between doctors and their patients.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2313.

Laura Kelly, *Governor*

Dated April 14, 2023.

SENATE BILL No. 209

AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section.

Message to the Legislature of the State of Kansas

As the daughter of a career Army officer, I cannot support measures that would disenfranchise members of our armed services – who fight for our freedoms, including the right to vote – from casting their own ballot.

This bill eliminates the three-day grace period for mail-in ballots often used by those in the military serving across the country or overseas.

It would also likely result in too many rural Kansans not having their votes counted in important elections. That is unacceptable. We should be doing everything we can to make it easier – not harder – for Kansans to make their voices heard at the ballot box.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 209.

Laura Kelly, *Governor*

Dated April 19, 2023.

HOUSE BILL No. 2264

AN ACT concerning health and healthcare; relating to abortion; requiring certain notifications that a medication abortion may be reversed; excluding certain procedures from the definition of abortion; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 and repealing the existing sections.

Message to the Legislature of the State of Kansas

In August, Kansans made clear that they believe personal healthcare decisions should be made between a woman and her doctor, not politicians in Topeka. This bill would interfere with that relationship and given the uncertain science behind it, could be harmful to Kansans' health.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2264.

Laura Kelly, *Governor*

Dated April 19, 2023.

Senate Substitute for HOUSE BILL No. 2344

AN ACT concerning the department of health and environment; relating to licensure of child care facilities; day care homes and child care centers; establishing license capacity and staff-to-child ratios; lowering license fees and training requirements; creating a process for day care facility licensees to apply for a temporary waiver of certain statutory requirements; authorizing the secretary to develop and operate pilot programs to increase child care facility availability and capacity; amending K.S.A. 65-503, 65-505 and 65-508 and K.S.A. 2022 Supp. 48-3406 and repealing the existing sections.

Message to the Legislature of the State of Kansas

As I said in my State of the State address, my North Star as Governor is to make Kansas the best place to raise a family. Key to that is ensuring parents have access to safe, affordable, quality childcare.

This bill would reverse the progress we've made toward that goal, loosening safety requirements for childcare centers, and preventing the state from being responsive to individual communities' needs.

While I agree it's time to review our childcare policies, we must do it together – and in a way that improves, not harms, our state's ability to help families and keep kids safe.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2344.

Laura Kelly, *Governor*

Dated April 19, 2023.

SENATE BILL No. 26

AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2022 Supp. 65-2836 and repealing the existing section.

Message to the Legislature of the State of Kansas

Companies have made it clear that they are not interested in doing business with states that discriminate against workers and their families. By stripping away rights from Kansans and opening the state up to expensive and unnecessary lawsuits, these bills would hurt our ability to continue breaking economic records and landing new business deals.

I'm focused on the economy. Anyone care to join me?

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 26, Senate Bill 180, Senate Bill 228, and S. Sub. For House Bill 2138.

Laura Kelly, *Governor*

Dated April 20, 2023.

SENATE BILL No. 180

AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction.

Message to the Legislature of the State of Kansas

Companies have made it clear that they are not interested in doing business with states that discriminate against workers and their families. By stripping away rights from Kansans and opening the state up to expensive and unnecessary lawsuits, these bills would hurt our ability to continue breaking economic records and landing new business deals.

I'm focused on the economy. Anyone care to join me?

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 26, Senate Bill 180, Senate Bill 228, and S. Sub. For House Bill 2138.

Laura Kelly, *Governor*

Dated April 20, 2023.

SENATE BILL No. 228

AN ACT concerning counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is in a county jail awaiting examination, evaluation or treatment for competency; relating to county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1910, 19-1911, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915.

Message to the Legislature of the State of Kansas

Companies have made it clear that they are not interested in doing business with states that discriminate against workers and their families. By stripping away rights from Kansans and opening the state up to expensive and unnecessary lawsuits, these bills would hurt our ability to continue breaking economic records and landing new business deals.

I'm focused on the economy. Anyone care to join me?

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 26, Senate Bill 180, Senate Bill 228, and S. Sub. For House Bill 2138.

Laura Kelly, *Governor*

Dated April 20, 2023.

Senate Substitute for HOUSE BILL No. 2138

AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section.

Message to the Legislature of the State of Kansas

Companies have made it clear that they are not interested in doing business with states that discriminate against workers and their families. By stripping away rights from Kansans and opening the state up to expensive and unnecessary lawsuits, these bills would hurt our ability to continue breaking economic records and landing new business deals.

I'm focused on the economy. Anyone care to join me?

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 26, Senate Bill 180, Senate Bill 228, and S. Sub. For House Bill 2138.

Laura Kelly, *Governor*

Dated April 20, 2023.

HOUSE BILL No. 2184

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; authorizing and directing payment of certain claims against the state; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections.

Message to the Legislature of the State of Kansas

I appreciate the Legislature and the respective budget committees for their work over the first part of session to ensure that many essential services are funded. This budget also includes several measures that reflect a shared goal of continuing our recent success in passing balanced budgets and avoiding structural imbalance. Among the major items in this budget, we agree that it's important to fully fund the state water plan, invest in our rainy day fund, set aside funds to pay off debt, and continue investing in infrastructure and public safety.

One of the most important parts of the state budget and the most significant portion of the budget is constitutional school funding and full funding for special education. Failing to fully fund our public schools leaves parents and students throughout the state unsure of whether they will be able to count on the Legislature to continue its recent success of avoiding expensive and unnecessary litigation. We have worked together for several years to ensure that we do not end up back in court, and I encourage the Legislature to continue to maintain constitutional school funding so that we can empower educators to continue to rebuild our education system back to one of the best in the country after a decade of inadequate funding.

While this budget includes many items that set aside funding for specific groups of Kansans who need essential health and human services, it fails to expand Medicaid. With now 40 states expanding Medicaid, Kansans will continue to pay for the healthcare of low-income citizens of other states while refusing that same basic coverage to citizens of our state. This refusal will continue to put a burden on our hospitals and other health providers, and as a result, it will continue to hurt main street businesses and rural and economically distressed communities throughout the state.

I do appreciate that for the most part, this budget maintains our commitment to keep the Bank of KDOT closed. As we continue to make progress on this front, we should do everything possible to work with local communities to draw down the maximum level of federal funding available. By doing so, it will ultimately relieve the costs on locals who would

otherwise be forced to pay for these improvements entirely through local tax dollars, which are largely funded by property taxes.

In order to successfully complete many of the projects and activities that are funded in this budget, the Legislature should follow up with adequate funding for pay increases for state employees so that we can continue to work on filling vacancies that in some agencies make it difficult to deliver needed services. In addition to providing social services, consider that without being able to hire adequate state employees, vacancies lead to delays and increased costs for businesses and individuals seeking licenses and permits, grants, and improved infrastructure to deliver products and services.

I look forward to working with the Legislature to make sure these issues are considered when they return. Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return House Bill 2184 with my signature approving the bill, except for the items enumerated below.

Behavioral Sciences Regulatory Board Proviso

- Sec. 15(b) has been vetoed in its entirety.

Mental health professionals and social workers provide critical care to communities across the state. We should be focused on strengthening our workforce and preparing them to serve Kansans from all backgrounds. This funding restriction limits the ability for these professionals to be trained in potentially lifesaving practices that address the individualized needs of every Kansan.

Board of Pharmacy Proviso

- Sec. 25(b) and Sec. 26(d) have been vetoed in their entirety.

Legislators should address rules and regulations that they disagree with by passing legislation through the regular process. The funding restrictions outlined in Sec. 25(b) and Sec. 26(d) attempt to invalidate rules and regulations that have been promulgated by the State Board of Pharmacy. If the Legislature would like to delay the implementation of these rules and regulations, it can pass legislation through the regular process, allowing the regulated community, patients, and health care providers have an opportunity to weigh in on the necessity of revising these rules and regulations.

Governmental Ethics Commission—Already Accomplished in Senate Bill 208

- Sec. 31(c) has been vetoed in its entirety.

I understand and support the action to redirect civil penalties collected by the Governmental Ethics Commission to the State General Fund. The language to accomplish this is found in SB 208 which was passed by the Legislature, and which I signed into law on April 14, 2023.

Attorney General—Master Tobacco Settlement Funds

- Sec. 39(e) has been vetoed in its entirety.

Since its inception, funding from the Kansas Endowment for Youth has been intended to support programs and services for children between the ages of birth to five years. K.S.A 38-2101 and K.S.A 38-2102 directs funds intended to support programmatic efforts be transferred into the Children’s Initiative Fund. I continue to be committed to supporting youth suicide prevention efforts and enhancing funding for mental health services. The funding in this line item should be used for compliance with the tobacco master settlement agreement, as it has been since 1999.

State Treasurer—Build Kansas Matching Grant Fund Provisos

- The portion of 42(b) that reads as follows has been line-item vetoed:

Build Kansas matching grant fund No limit

Provided, That during the fiscal year ending June 30, 2024, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas subject to the provisions of these provisos: Provided further, That there is hereby established a joint committee on build Kansas within the legislative branch: And provided further, That such joint committee shall be composed of five members of the senate and five members of the house of representatives: And provided further, That all senate members shall be appointed by the president of the senate: And provided further, That all representative members shall be appointed by the speaker of the house of representatives: And provided further, That the two major political parties shall have proportional representation on such committee: And provided further, That the chairperson of such committee shall be a senate member appointed by the president and the vice chairperson shall be representative member appointed by the speaker of the house of representatives: And provided further, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: And provided further, That such state agencies shall provide assistance as necessary to interested local communities: And provided further, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: And provided further, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligi-

ble entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: And provided further, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: And provided further, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: And provided further, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: And provided further, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: Provided however, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: And provided further, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: And provided, however, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: And provided further, That the state finance council is hereby authorized to stop such expenditures: And provided further, That the state finance council action on this matter is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: And provided further, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: And provided further, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: And provided however, That if during fiscal year 2024, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay

an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: And provided however, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75- 3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: And provided further, That the state finance council is hereby authorized to approve such transfers: And provided further, That if approved, the director of accounts and reports shall make such transfer: And provided however, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso shall not exceed \$215,000,000: And provided further, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: And provided further, That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication.

- Sec. 42(d), Sec. 43(b) and (c), Sec. 44(b) and (c), Sec. 45(b) and (c), and Sec. 46(b) and (c) have been line-item vetoed in their entirety.

In the budget that I proposed in January, I included funding to support local communities competing for federal Bipartisan Infrastructure Law (BIL) grant awards, and I continue to support that funding for this purpose. However, the proviso language in these sections sets up a process in which many communities will not be able to compete for one-time federal infrastructure grants. The goal of this funding was to provide matching grants for federal projects for which communities may or may not be approved. The project award itself is not something that I nor the Legislature have any control over, yet this language appears to indicate that communities would have to seek legislative approval and potentially the approval of two other agencies before applying for the federal funding. As a result, the process for seeking this funding will be so delayed and bureaucratic that few communities will succeed. This is especially true for those smaller and rural communities who in many cases do not have any technical staff or lobbyists in Topeka to help them navigate the process as outlined in this bill.

I encourage the Legislature to work with me and those who have participated in the existing Infrastructure Hub during Omnibus to develop a process that will facilitate the most return on investment for the local communities that this program was designed to assist.

Making the Office of the Kansas State Treasurer a Pregnancy Crisis Center Pass-Through Entity

- The portion of Sec. 42(a) that reads as follows has been line-item vetoed:

Alternatives to abortion program\$2,000,000

Provided, That expenditures shall be made from the alternatives to abortion program account to establish a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: Provided further, That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and support groups in maternity homes: And provided further, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: And provided further, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: And provided further, That program services shall be available to participants only during pregnancy and continuing for up to 24 months after birth of the child: And provided further, That the state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion: And provided further, That such

contract shall be for a term not longer than one year: And provided further, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the alternatives to abortion program: And provided further, That the state treasurer shall include as a condition of the contract with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2024, on the administration of the program during fiscal year 2024, including: The number of clients; the number of clients who participated in case management services the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: And provided further, That the state treasurer shall establish the alternatives to abortion public awareness program to be administered by the same nonprofit organization contracted with to provide alternatives to abortion program services: And provided further, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion program services: And provided further, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available alternatives to abortion program services and nonprofit subcontractors that provide services: And provided further, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abortion program services and subcontractors: And provided further, That, to the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private mon-

neys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the alternatives to abortion program account to be expended for such programs: Provided, however, That the alternatives to abortion program and the alternatives to abortion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

I do not think that overseeing a state pregnancy crisis center and maternity home program is what the creators of the Office of the State Treasurer intended when that office was established, nor do I think that any State Treasurer in Kansas history would have thought this to be a part of the role of the State Treasurer. This proviso creates a sole source contract for an unknown entity to provide taxpayer funding for largely unregulated pregnancy resource centers. This is not an evidence-based approach or even an effective method for preventing unplanned pregnancies.

Kansas Department of Revenue—Business Closure Rebates

- Sec. 72(b) has been vetoed in its entirety, and the portion of Sec. 73(b) that reads as follows has been line-item vetoed:

American rescue plan—state relief (565-00-3756-3536)\$0

I am vetoing the provisions of the legislation that impose a \$0 expenditure limitation on the use of federal funds intended for the COVID business closure rebates. While I understand the desire to ensure that these funds are used effectively and efficiently, this limitation does not accomplish the intended goal of transferring these federal funds out of the COVID business closure rebates, and the \$0 expenditure limitation effectively prevents the use of these funds for the license plate replacement fund, which was an objective of the legislation.

Kansas Department of Aging and Disability Services—Federal Funding Proviso

- The portion of Sec. 89(b) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency for fiscal year 2024 from the American rescue plan state relief fund to expand the PACE program to additional Kansas counties in an amount not to exceed \$2,500,000.

The PACE program is a vital program for seniors in Kansas and I support expanding access to the program. However, I do not believe one-time federal funding should be used for a project that will create ongoing costs. This project should be covered through existing state resources. I will work with advocates to ensure any expansion of the PACE program is financially sustainable long-term.

Kansas Department for Children and Families—Sole Source Contract

- Sec. 90(b) has been line-item vetoed in its entirety, and the portion of Sec. 91(a) that reads as follows has been line-item vetoed:

Foster care licensing and placement software\$2,500,000

Provided, That during the fiscal year ending June 30, 2024, the above agency shall make expenditures from the above account for the sole purpose of continuing the agency’s request for proposal process for a subscription to a software-as-a-service product to automate the licensing of foster families and the placement of foster children in approved homes and to commence and fund such subscription on or before December 31, 2023.

Having a transparent, competitive bidding process is key to ensuring our state remain a good steward of public dollars. This appropriation fails to do that and creates a sole source contract.

Kansas Board of Regents—Transportation Research Fund

- The portion of Sec. 115(b) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from the transportation research fund to make distributions to Kansas state university, the university of Kansas and Wichita state university for transportation research projects at such institutions.

- Sec. 115(i) has been line-item vetoed in its entirety.

The Legislature should fund these research efforts through a different manner, rather than by returning to the practice of diverting state highway funding. My administration is willing to work with those who would like to ensure that innovative transportation research is supported in our higher education institutions, but not by reopening the Bank of KDOT.

Kansas Board of Regents—Comprehensive Grant

- The portion of Sec. 115(a) that reads as follows has been line-item vetoed:

Provided, however, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in fiscal year 2022.

- The portion of Sec. 116(a) that reads as follows has been line-item vetoed:

Provided, however, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in fiscal year 2022.

Increasing college affordability and limiting costs to students and families has been a high priority for my administration. To create the most skilled workforce, we need to support students who attend our higher education institutions through enhanced need-based financial aid. The appropriations in Sections 115 and 116 would cut funding for students who have already been awarded scholarships under the Comprehensive Grant program. This will take away scholarships already promised to students who have demonstrated a financial need and instead provide 50% of the allocated funds to only 6% of Kansas students.

Kansas Board of Regents—Diversity, Equity, and Inclusion Proviso

- Sec. 115(h) has been vetoed in its entirety.

The hallmark of our higher education system is its commitment to facilitating open dialogue that allows students to learn, grow, and challenge their thinking. Supporting students from all backgrounds, regardless of socio-economic status or geographic location, is vital to creating a well-trained workforce and growing the Kansas economy. The funding restriction in Section 115(h) limits our universities’ efforts to find a skilled workforce that prepares our students for an ever-changing economy, and it limits their ability to support students from all backgrounds throughout their higher education experience. This restriction also threatens our universities’ ability to secure federal funding and competitive grants that fund innovative research, grow our workforce, and bring economic prosperity to Kansas.

Kansas Department of Corrections—Pathways to Purpose Pilot Program

- The portion of Sec. 118(a) that reads as follows have been line-item vetoed:

Pathways to purpose pilot program.....\$1,400,000

Provided, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2024 to implement a pilot program on or before October 1, 2023, to gauge the effectiveness of prescription digital therapeutics authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder on incarcerated adult offenders in the custody of the secretary of corrections: Provided fur-

ther, That for the purposes of such program, the above agency shall determine the following: (1) Number of sites at which the pilot program will be conducted including regions that are geographically diverse; (2) eligibility requirements for pilot program participants; and (3) specific types of prescription digital therapeutics that will be prescribed and evaluated under the pilot program as authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder: And provided further, That as used in this subsection, “prescription digital therapeutics authorized by the federal food and drug administration” or “prescription digital therapeutics” means a product, device, internet application or other technology that is intended to prevent, manage or treat a medical disease, condition or disorder, is approved, cleared or classified by the food and drug administration under 21 U.S.C. 360(k), 21 U.S.C. 360c(f) or 21 U.S.C. 360e for such intended use, utilizes both cognitive behavior therapy and contingency management to treat substance use disorder and opioid use disorder, and requires a prescription under 21 C.F.R. § 801.109

I have worked with the Legislature to support substance use treatment programs in our correctional facilities and have done so through funding that has been approved in a bipartisan, transparent process. An open, competitive bidding process is key to ensuring that our state contracts provide the most value to Kansas taxpayers. This appropriation fails to do that by creating strict requirements that would likely favor a single vendor.

Kansas Department of Wildlife and Parks—Lifetime Hunting and Fishing License

- Sec. 138(f) has been line-item vetoed in its entirety.

Last year, I signed bipartisan House Bill 2456, which created a lifetime hunting and fishing license for youth between the ages of birth to 7 years. This legislation included pro-rated fees based on estimates for how much the agency would need to offset the corresponding loss of license revenue over the course of the child’s life. If the Legislature would like to pass this type of funding allowance, it should work with the Department of Wildlife and Parks to ensure that a measure that seeks to increase healthy outdoor activities—like hunting and fishing—does not at the same time undermine the long-term financial viability of the agency responsible for encouraging and facilitating outdoor activities.

Federal Grant Funding Database

- Sec. 143 has been line-item vetoed in its entirety.

Regarding discretionary grant awards, much of this information is already available. This also could have a detrimental effect on encouraging new and smaller communities from applying and lead to cybersecurity

risks. Initial applicants often have missing or insufficient information, yet they may be approved in future years after working with staff to improve their proposal. If applicants know that their unsuccessful attempts will be shared, it will discourage many from applying. This language is also ambiguous and could risk requiring the creation of a massive bureaucracy to track all state and federal funds that are awarded prior to a final award. I would encourage the Legislature to work with my administration to determine if there is additional information needed and how to provide that in a way that would not grow government unnecessarily.

Laura Kelly, *Governor*

Dated April 20, 2023.

House Substitute for SENATE BILL No. 169

AN ACT concerning taxation; relating to income tax; providing a 5.15% tax rate for individuals and decreasing the normal tax for corporations; discontinuing possible future corporate rate decreases as a result of agreements under the attracting powerful economic expansion program act; increasing the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction by a cost-of-living adjustment; discontinuing the food sales tax credit; relating to sales and compensating use tax; reducing the rate of tax on sales of food and food ingredients; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to privilege tax rates; decreasing the normal tax; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2022 Supp. 79-201x, 79-32,110, 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 79-32,119, 79-32,271, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 74-50,321.

Message to the Legislature of the State of Kansas

Kansans know all too well where irresponsible, costly tax experiments lead: to underfunded schools, to deteriorating roads and bridges, and to essential services being cut.

This bill would upend our tax system and throw our state's budget out of balance long-term. There is no question: Just like under my predecessor, this tax plan would be paid for by cutting funds from our public schools. Already, those same legislators have proposed cutting millions of dollars from public schools, and particularly rural schools. I won't stand for cuts to our public schools, period.

To be very clear, I want to cut taxes for everyday Kansans. That's why I've proposed targeted, responsible tax cuts on groceries and Social Security, and it's why I'm proposing a tax rebate, this year, of \$450 for individual taxpayers and \$900 for married couples filing jointly.

Legislators should put this one-time surplus back in the hands of taxpayers – without risking our ability to continue fully funding schools and investing in roads, bridges, and essential services.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Substitute for Senate Bill 169.

Laura Kelly, *Governor*

Dated April 24, 2023.

HOUSE BILL No. 2094

AN ACT concerning public assistance; relating to child care assistance; non-cooperation with child support; requiring the secretary to conduct reviews of cooperation; requiring work registrants aged 50 through 59 to complete an employment and training program to receive food assistance; amending K.S.A. 2022 Supp. 39-709 and repealing the existing section.

Message to the Legislature of the State of Kansas

Leaders from both parties should be looking for ways to help people afford the basics, not burdening our hardworking Kansans who are just trying to get by.

With inflation causing the prices of goods and services to skyrocket, Kansans need relief, not further barriers.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2094.

Laura Kelly, *Governor*

Dated April 24, 2023.

HOUSE BILL No. 2100

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

Message to the Legislature of the State of Kansas

Because I have reservations about the potential unforeseen consequences of House Bill 2100 for the state and for local governments, I will allow the bill to become law without my signature.

Laura Kelly, *Governor*

Dated April 24, 2023.

HOUSE BILL No. 2236

AN ACT concerning education; relating to school districts; establishing parents' right to direct the education and upbringing of their children including the right to object to educational materials and activities that are not included in approved curriculum or standards or impair a parent's beliefs, values or principles.

Message to the Legislature of the State of Kansas

Parents and teachers across Kansas want the same thing – for our kids to get the best education possible.

This bill distracts from that goal, inserting partisan politics into the classroom at the expense of our students, parents, and teachers.

The best thing we can do for our students is work together to continue fully funding public education and ensure they have the resources and support to succeed. We can't do that if we are forced to spend millions of dollars on expensive lawsuits.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2236.

Laura Kelly, *Governor*

Dated April 24, 2023.

HOUSE BILL No. 2325

AN ACT concerning insurance; relating to the healthcare provider insurance availability act; adding maternity center to the definition of “healthcare provider” contained therein; designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections.

Message to the Legislature of the State of Kansas

In August, Kansans voted against politicians in Topeka placing extreme restrictions on a woman’s freedom to make her own personal healthcare decisions.

This bill goes against the will of the voters by depriving women of access to their constitutional right. It is also misleading. The truth is, no taxpayer dollars go to the Health Care Stabilization Fund.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2325.

Laura Kelly, *Governor*

Dated April 24, 2023.

HOUSE BILL No. 2350

AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; creating the crimes of human smuggling and aggravated human smuggling; providing criminal penalties therefor.

Message to the Legislature of the State of Kansas

House Bill 2350 is the product of a rushed process. I agree immigration issues need to be addressed, but this bill will have unintended consequences, from decimating our agriculture workforce to allowing the state to encroach into Kansans' personal lives.

You just have to look at basic examples: If a good Samaritan gives his or her fellow Kansan a ride to work and receives gas money in exchange – or if a paramedic, while on duty, transports someone to the emergency room – they could be subject to level-five felonies. That overcriminalization is unnecessary and shows that lawmakers haven't considered the full impact of this bill.

Kansans deserve considered, comprehensive legislation when it comes to immigration – not bills with sweeping language that would hurt law-abiding Kansas citizens and open the state up to expensive lawsuits.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2350.

Laura Kelly, *Governor*

Dated April 24, 2023.

SENATE BILL No. 8

AN ACT concerning taxation; relating to property taxation; reducing penalties for the late filing of or the failure to file statements listing property for assessment and the discovery of escaped property; reporting changes after initial statement; extending reimbursement from the taxpayer notification costs fund for printing and postage costs for county clerks for calendar year 2024; modifying and prescribing the contents of the revenue neutral rate public hearing notice; providing two prior years' values on the annual valuation notice; allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes; discontinuing the prohibition of paying taxes under protest after a valuation notice appeal; accounting for adverse influences in the valuation of agricultural land; including properties used for registered agritourism activities as land devoted to agricultural use for purposes of classification; providing a property tax exemption for certain business property operated in competition with property owned or operated by a governmental entity; relating to income taxation; decreasing the penalties for failing to timely remit withholding income taxes of employees by employers; providing a subtraction modification to permit the carryforward of certain net operating losses for individuals; providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances; increasing the tax credit amount for adoption expenses and making the credit refundable; increasing the maximum yearly amount of income tax credits available for purchases under the disability employment act from qualified vendors and continuing in existence such credits beyond tax year 2023; defining qualifying vendors and eligible employees; clarifying the determination of taxable income of an electing pass-through entity and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act; excluding social security payments from household income and expanding eligibility for seniors and disabled veterans related to increased property tax homestead refund claims; relating to income, privilege and premium tax credits; establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; relating to sales taxation; providing for a sales tax exemption for sales of property and services used in the provision of communications services; excluding manufacturers' coupons from the sales or selling price; amending K.S.A. 79-306, 79-332a, 79-1422, 79-1427a, 79-1496, 79-32,107, 79-32,202a and 79-32,273 and K.S.A. 2022 Supp. 79-1460, 79-1476, 79-2005, 79-2988, 79-2989, 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 79-32,287, 79-3602c, 79-3606 and 79-4508a and repealing the existing sections.

Message to the Legislature of the State of Kansas

After years of fiscal mismanagement and budget deficits, I am proud that we have balanced the budget four years in a row. As a result, we have seen record economic growth and have delivered over \$1 billion in tax cuts for working families, property owners, veterans, farmers, and ranchers. Instead of sticking with this fiscally responsible and bipartisan path, this bill prioritizes tax breaks for big businesses over everyday Kansans and would harm the budgets of local governments and schools.

While Senate Bill 8 includes tax cuts and personal property tax reforms that I support, by bundling 12 bills together the legislature has made it impossible to sort out the bad from the good.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 8.

Laura Kelly, *Governor*

Dated May 12, 2023.

HOUSE BILL No. 2285

AN ACT concerning the secretary of health and environment; relating to drug overdoses; requiring the secretary of health and environment to study overdose deaths; providing for the confidentiality of acquired and compiled records; restricting the powers of the secretary of health and environment and local health officers to control the introduction and spread of infectious or contagious diseases; revoking the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; prohibiting the secretary of health and environment from requiring a COVID-19 vaccination in order to attend a child care facility or school; amending K.S.A. 65-116g, 65-119, 65-128, 65-129b, 65-129d, 65-508 and 72-6262 and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c.

Message to the Legislature of the State of Kansas

The field of public health was pioneered here in Kansas, yet lawmakers continue trying to undermine the advancements that have saved lives in every corner of our state.

That's most recently evidenced by this bill, an effort by politicians in Topeka to win political points in the short-term while threatening the long-term health and safety of all Kansans and of our economy. There's no question: Preventing Kansas' local and state health officials from providing even basic testing for contagious human and zoonotic diseases – including measles, meningitis, Ebola, and polio – will hurt our ability to stop unnecessary outbreaks in the future.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2285.

Laura Kelly, *Governor*

Dated May 12, 2023.

SENATE BILL No. 25

AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, and 75-6707, as amended by section 179 of 2023 House Bill No. 2184, and repealing the existing sections.

Message to the Legislature of the State of Kansas

Senate Bill 25 includes many worthy bipartisan initiatives, including increased funding for mental health, economic development, infrastructure, and higher education. The state matching funds and technical assistance that I proposed in my budget for communities applying for federal grant programs could lead to transportation, energy, water, and broadband improvements that will benefit Kansans for years to come if administered effectively. The Omnibus Budget also contains well deserved pay increases for public employees who work every day to ensure the efficient and effective delivery of public safety, education, health care, emergency response, and business and family services throughout Kansas.

Many of the appropriations and related provisions contained in Senate Bill 25 were passed through the regular process, in which public hearings are followed by debate and amendment in committee and the full House and Senate. This process provides needed scrutiny and input. However, there are many items in this bill that were added after this process ended, some of which I have line-item vetoed below.

Adding sections of funding and related policy at the last minute does not provide legislators with the opportunity to understand and weigh the merits of each proposal. For the sake of all Kansans having a voice in the budget through their elected representatives, we should return to greater adherence to the regular process.

I look forward to continuing to work with the Legislature to provide fiscally responsible budgets that invest in our future and protect us from returning to the days when, in order to take care of one group, we had to sacrifice the needs of another.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return Senate Bill 25 with my signature approving the bill, except for the items enumerated below.

Board of Pharmacy Provisos

- Sec. 5 and Sec. 6 have been line-item vetoed in their entirety.

As I have said previously, legislators can address rules and regulations they disagree with through the regular legislative process. This ensures that any law enacted in the state of Kansas has received proper input from

interested parties and that Kansas taxpayers are guaranteed transparency. The funding restriction in Sec. 5(a) and Sec. 6(a) impedes the Board of Pharmacy's ability to regulate issues related to the practice of pharmacy. This language was not properly vetted by any stakeholder, including patients and providers, who would be most affected by the changes in this line item.

Excluding Providers of Mental Health Treatment from Mental Health Intervention Team Program

- The provisions of Sec. 37(a) that read as follows have been line-item vetoed:

And provided further, That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and community mental health centers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of community mental health centers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience to access mental health services and maintain consistency for a child to attend recurring sessions and provide coordination between the child's classroom schedule and the provision of such services: *And provided further*, That the program shall focus on the following students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: *And provided further*, That the state department of education shall oversee and implement the mental health intervention team program in accordance with the requirements of this subsection and the policies and procedures established by the department pursuant to such subsection: *And provided further*, That, in each school year, the board of education of a school district may apply to the department to establish or maintain a mental health intervention team pro-

gram within such school district: *And provided further*, That the application shall be in such form and manner as the department requires and submitted at a time determined and specified by the department: *And provided further*, That each application submitted by a school district shall specify the community mental health center that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: *And provided further*, That, if a school district is approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering community mental health center: *And provided further*, That, if the school district chooses to partner with more than one community mental health center, the school district shall enter into a separate memorandum of understanding with each such community mental health center: *And provided further*, That the department may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the community mental health center: *And provided further*, That each memorandum of understanding shall be submitted to the department for final approval: *And provided further*, That, subject to appropriations therefor, a school district that has been approved by the department to establish or maintain a mental health intervention team program shall be eligible to receive a mental health intervention team program grant and a community mental health center pass-through grant: *And provided further*, That, except as otherwise provided in this subsection, the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison, not to exceed \$50,000 for any such school liaison: *And provided further*, That the amount of a school district's community mental health center pass-through grant shall be an amount equal to 33% of the amount of the school district's mental health intervention team grant, and moneys provided to a school district for the community mental health center pass-through grant shall be paid to any community mental health center that partners with the school district: *And provided further*, That, if the amount of appropriations are insufficient to pay in full the amount of all grants that school districts are entitled to receive for the school year, the department shall prorate the amount appropriated among all districts: *And provided further*, That the department shall be responsible for the allocation and distribu-

tion of grants in accordance with appropriation acts: *And provided further*, That the department may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: *And provided further*, That the department shall not award any grant to a school district unless such school district has entered into a memorandum of understanding with a partnering community mental health center in accordance with this subsection: *And provided further*, That the department may waive the requirement that a school district employ a school liaison and may instead authorize a community mental health center that partners with the school district to employ a school liaison: *And provided further*, That such waiver shall only be granted by the department in limited circumstances: *And provided further*, That a school district that is granted a waiver pursuant to this subsection shall continue to be eligible to receive the mental health intervention team program grant and the community mental health center pass-through grant authorized pursuant to this section: *And provided further*, That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this subsection as though the school liaison was employed by such school district: *And provided further*, That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the community mental health center that employs the school liaison: *And provided further*, That, on or before January 8, 2024, the department shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and K12 education budget and the senate standing committees on ways and means, public health and welfare and education: *And provided further*, That such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the participating community mental health centers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: *And provided further*, That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and clinical therapists employed by the partnering community mental

health center: *And provided further*, That all staff working together under a school district's program shall be known as the behavioral health intervention team of the school district: *And provided further*, That the school district and the community mental health center shall cooperate and work together to identify needs specific to the students in the school district and the families of such students and shall develop an action plan to implement a school-based program that is tailored to meet such needs: *And provided further*, That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the community mental health center: *And provided further*, That a school liaison shall have a bachelor's degree in any field of study. A school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for which the team shall engage; act as a liaison between the school district and the community mental health center and be the primary point of contact for communications between the school district and the community mental health center; assist with community mental health center staff understanding of the school district's system and procedures, including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the community mental health center and other school personnel understand the roles and responsibilities of the behavioral health intervention team; facilitate communications and connections between families of identified students and the community mental health center's staff; coordinate a student's treatment schedule with building administrators and classroom teachers to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the community mental health center to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the mental health intervention team database as directed by the department; follow up with child welfare contacts if a student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to community mental health center staff, including student observations, intervention feedback from teachers, communications with family and other relevant information; work with school administration to identify and provide confidential space for a community mental health center therapist; and assist in planning continuity of care through summer services: *And provided further*, That a community mental health center that partners with a school district shall employ

one or more master's level clinical therapists who will collaborate with the school district to assist students in need and provide services to such students under the program: *And provided further*, That a clinical therapist's roles and responsibilities under the program include, but are not limited to: Assisting the school liaison with the identification of appropriate student referrals to the program; triaging student referrals with the school liaison to prioritize treatment interventions for identified students; working with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conducting a clinical assessment of the identified student and make appropriate treatment recommendations; engaging with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and providing individual and family therapy; administering scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; making referrals to other treatment modalities as appropriate; communicating educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gathering outcome data to monitor the effectiveness of the program; coordinating with the case manager by the student's treatment plan to identify ways to support the student and family; providing therapy services as determined by a student's treatment plan; and maintaining the treatment plan and necessary treatment protocols required by the community mental health center: *And provided further*, That a community mental health center that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and coordinate services under the program: *And provided further*, That a case manager's roles and responsibilities under the program include, but are not limited to: Working with the school liaison and clinical therapist to identify students and triage priorities for treatment; providing outreach to students, families and child welfare contacts to help engage in treatment; participating in the treatment planning process; communicating with the school liaison and other school district personnel about student needs, interventions and progress; helping maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintaining the treatment plan and necessary treatment protocols required by the community mental health center; making referrals to appropriate community resources; helping reconnect students and families when they are not following through with the treatment process; helping families negotiate barriers to treatment; and engaging with the student in the

classroom, the home or the community to help build skills wherever needed: *And provided further*, That, as used in this subsection, “community mental health center” means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

The Legislature should work in a bipartisan manner to codify and make permanent the current Mental Health Intervention Team Pilot Program. This program is vital to ensuring Kansas children have the mental health support they need as they progress through our public school system. I’m proud to support this program, and I have routinely increased its funding so that more schools can provide these services to our students. As written, this proviso would limit the type of mental health providers and practitioners who can participate in the programming—hampering our school districts’ ability to contract with a variety of professionals and preventing certain mental health professionals from assisting our students. If we truly want to address the youth mental health crisis and support our young people, we need to ensure that students have access to every resource available. We cannot leave dedicated, experienced mental health professionals on the sidelines as our students remain in need of care.

Quindaro Ruins

- Sec. 40 is line-item vetoed in its entirety.

This request for funding for a master plan for the Quindaro Ruins historic site was not considered by the Legislature until the final moments of the 2023 session. As a result, there was no opportunity to vet this proposal to ensure that it truly serves the needs of the community for whom the site is named. My administration recognizes the importance of this culturally significant site, and I will support efforts to elevate this fundamental piece of Kansas history and honor the surrounding community. Advocates should work through the proper channels to seek funding for this measure and ensure that it receives the recognition it deserves.

Inequitable Distribution of Need-Based Aid

- The portion of Sec. 47(a) that reads as follows has been line-item vetoed:

Independent colleges comprehensive grant program.....\$5,000,000
Provided, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed to each such independent college in fiscal year 2023 from the comprehensive grant program account (561-00-1000-4500): *Provided further*, That, as

used in this subsection, “independent college” means a not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, or by the higher learning commission of the north central association of colleges and schools based on its requirements as of January 1, 2006, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas.

- Sec. 47(c) has been line-item vetoed in its entirety.

The Kansas Comprehensive Grant already provides a significant financial advantage for Kansas independent colleges on a per pupil basis. Publicly funded student financial aid should be targeted for its intended purpose by all institutions that receive it—providing aid to qualified Kansas residents who show exceptional financial need. It is vital that this funding is allocated in a manner that provides access to higher education for as many Kansas students as possible.

State Fire Marshal Proviso

- Sec. 53 has been line-item vetoed in its entirety.

Completely prohibiting the State Fire Marshal from ensuring adequate safety regulations on an entire category of businesses is a heavy-handed approach to addressing state and local fire safety requirements and is bound to have unintended consequences. Stakeholders should work together to identify a regulatory solution that balances the business needs of farm wineries with fire safety.

Laura Kelly, *Governor*

Dated May 15, 2023.

House Substitute for SENATE BILL No. 113

AN ACT concerning education; making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, for the state department of education; requiring school districts to submit a notice of intent to dispose of a school district building to the legislature; establishing a state option to acquire such school district buildings; authorizing certain students to participate in activities that are regulated by the Kansas state high school activities association; authorizing certain nonpublic school students who enroll part-time in a school district to participate in nonpublic school activities; authorizing any student with a parent or guardian employed by a school district to enroll in and attend such school district without entering the school district's open-seat lottery process; requiring school districts to give priority to nonresident military students under the school district's open-seat lottery process; requiring consideration of homelessness when determining enrollment status of a student under school district open-enrollment procedures; authorizing members of school district boards of education to receive compensation from the school district for work and duties performed; providing for additional student eligibility and increasing the tax credit for contributions made pursuant to the tax credit for low income students scholarship program; establishing the special education and related services funding task force; extending the high-density at-risk student weighting sunset date; authorizing the use of current-year or preceding year student enrollment to determine state foundation aid under the Kansas school equity and enhancement act; continuing a district's low enrollment weighting factor if the district accepts students from another school district under certain circumstances; continuing the 20 mill statewide levy for schools; increasing the number of school districts that qualify to finance a cost-of-living weighting and increasing the maximum amount of such weighting; amending K.S.A. 72-1137, 72-3123, as amended by section 16 of chapter 94 of the 2022 Session Laws of Kansas, 72-3216, 72-4357, 72-5149 and 72-5159 and K.S.A. 2022 Supp. 72-3126, 72-4352, 72-5132, 72-5142, 72-5151 and 72-5462 and repealing the existing sections.

Message to the Legislature of the State of Kansas

I first ran to be the “Education Governor” because I was committed to ensuring Kansas students receive the world-class education to which they are entitled. I knew that young Kansans deserved better than crowded classrooms, four-day school weeks, and sliding test scores – and that if we wanted to build a stronger workforce and economy for generations to come, we needed to get back to investing in our students. Over the past five years, I’ve worked with the Legislature to do exactly that: we’ve fully funded our schools every year I’ve been in office, defended against attacks on public schools, and empowered parents and teachers to help our students succeed. Now, it’s clear—Kansas is back on the right track.

We have the opportunity to continue that progress with elements of House Substitute for Senate Bill 113. It extends the high-density at-risk weighting and the 20 mills school statewide property tax levy—both of which are vital to providing adequate funding for Kansas students. SB 113 also provides essential funding for school safety that will allow districts to purchase communications equipment to better coordinate with law enforcement agencies and naloxone to combat the fentanyl crisis affecting too many of our young people. Through the omnibus budget bill, Senate

Bill 25, I also was proud to secure new funding for the Mental Health Intervention Team Pilot Program, which provides crucial mental health services to our students.

However, I'm disappointed that this bill fails to provide substantial increases to special education, something that's critical to the success of every Kansas student. As the state continues not to meet its statutory obligation to fully fund special education, districts must move funding from their general fund budgets to pay for critical services for special education students, in essence limiting their ability to invest in teacher salary increases, create innovative approaches to curriculum, and expand career and technical education opportunities. While I'll continue to push the federal government to keep its end of the bargain, the Legislature should have done more to increase special education funding in the meantime. When legislators return in 2024, they need to correct their mistake and put Kansas on track to fully fund special education.

The process by which SB 113 was passed also raises concerns. The Legislature continues a pattern of bundling appropriations and policy provisions into one bill, limiting the ability for the public and their elected representatives to weigh in on each individual element of legislation. The appropriations for our public school system belong with the remainder of the state's budget and should be evaluated through the normal appropriations process. Instead, the Legislature has decided to "logroll" unpopular provisions into this bill—provisions that would not withstand scrutiny or pass muster on their own. The Legislature included provisions in this bill that never received a public hearing, were never worked by a legislative committee, nor passed through even one chamber of the Legislature prior to being included in this bill. This process lacks public transparency and prevents the collaboration that could prevent unintended consequences of hastily crafted legislation. The Legislature must end its practice of "logrolling" education funding bills that have such critical consequences for our children, families, and the state.

The "logrolling" process resulted in the inclusion of several elements of this bill that would harm public students and schools. The provisions permitting nonpublic school students to participate in public school activities and expanding the low-income tax credit scholarship program are not policies widely supported by Kansans and would not receive the same support if not tied to education funding. The measure that gives the Legislature the first right of refusal to purchase school buildings creates significant constitutional and local control questions and will likely lead to litigation. Of most concern, though, are changes in appropriations caused by altering the school finance distribution to schools in Section 14.

The current school finance formula was approved by the Kansas Supreme Court in the *Gannon* case. Changes to this formula run the risk of

noncompliance and jeopardize our track record of constitutionally funding schools. SB 113 specifically changes the method by which school districts must determine their enrollment and thus the amount of funding appropriated by the state. Under current law, school districts may use the enrollment of one of the two preceding years to determine the level of state aid they are subject to receive. This essential element of our finance formula was crafted to ensure that districts with declining enrollment, especially rural districts, can properly account for this decline and make financial plans to ensure their own sustainability. SB 113 changes the formula so that districts must use the current year or the previous year's enrollment when determining state aid.

For districts experiencing declining enrollment, this change precipitates immediate funding adjustments that districts would be required to make in the upcoming school year rather than over the next few years as is dictated by current law. This provision would be enacted after many school districts have finalized their budget and signed contracts with teachers based on existing appropriations. These districts are already preparing for the budget impacts of declining enrollment, but the decision to rapidly speed up the fiscal effect of declining enrollment leaves districts in an untenable situation where they must significantly cut budgets in a matter of weeks. These districts have been operating in good faith and within the bounds of current law when determining their budgets and enrollment for the upcoming school year. This provision pulls the rug out from underneath rural school districts at the 11th hour. If this provision were enacted, it would bring dangerous and devastating consequences for our rural districts.

I will not allow this to happen to our rural schools, which are essential to the fabric of Kansas. As Governor, I have always been committed to ensuring that our rural schools are properly supported to serve their communities. This provision jeopardizes the vitality of our rural communities and threatens the economic engines of many small towns.

In addition, the current method for determining enrollment was approved by the Kansas Supreme Court in the *Gannon* case; changing one of the primary building blocks of the school finance formula in *Gannon* would raise questions over the state's compliance with the case.

Therefore, I have chosen to line-item veto Section 14 of SB 113.

Throughout the legislative debate over this bill, SB 113 was categorized as an appropriations bill. During the House debate, a legislator moved to amend the finance formula provisions of the bill, which was ruled a violation of the chamber rules because the net effect of the amendment would have caused a change to the appropriations in the state foundation aid line-item. That appropriation would have very real consequences for our schools, as the finance formula operationally determines the amount

of state funds appropriated to school districts through the proper budget line-items.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill 113 with my signature approving the bill, except for the items enumerated below.

Appropriations through Changes to the Definition of Enrollment in the Kansas School Equity and Enhancement Act

- Sec. 1(c) has been vetoed in its entirety.
- The portion of Sec. 2(a) that reads as follows has been line-item vetoed:

State foundation aid (652-00-1000-0820)\$47,899,069

- Sec. 14 has been vetoed in its entirety.

The changes made to the school finance formula in this section will have immediate devastating effects on rural schools because it will prevent them from properly planning for budgetary impacts caused by this change, precipitating funding reductions caused by declining enrollment. Should the Legislature want to make these changes to the finance formula, they should utilize the proper process and consult with affected school districts. This appropriation provision was hastily altered without the ability for districts to weigh in or consult with their elected representatives.

The items line-item vetoed in Sec. 1 and Sec. 2 ensure that our schools remain funded and that the alterations in appropriations caused by the changes to the finance formula are also removed.

- The portion of Sec. 21 that reads as follows has been line-item vetoed:

72-5132,

This statutory reference to the appropriation is required to be struck, otherwise the entirety of the finance formula would be repealed from state law. In combination with Sec. 14, this line-item protects existing appropriations and ensures that the current formula remains intact.

Laura Kelly, Governor

Dated May 18, 2023.

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