



Kansas Register

Scott Schwab, Secretary of State

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State of Kansas

Legislative Administrative Services

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email legserv@las.ks.gov.

Date	Room	Time	Committee	Agenda
May 29	144-S	1:00 p.m.	Joint Committee on Information Technology	Quarterly Report; Performance Audit; Security Audit; Proposed Legislation.
May 29	548-S	2:00 p.m.	Legislative Coordinating Council	Legislative matters.

Tom Day, Director
Legislative Administrative Services

Doc. No. 047191

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d) and K.S.A. 12-1675a(g).

Effective 5-20-19 through 5-26-19

Term	Rate
1-89 days	2.39%
3 months	2.42%
6 months	2.41%
12 months	2.33%
18 months	2.25%
2 years	2.20%

Scott Miller
Director of Investments

Doc. No. 047178

(Published in the Kansas Register May 23, 2019.)

**Upper Black Vermillion
Watershed Joint District No. 37**

Request for Proposal

The Upper Black Vermillion Watershed Joint District No. 37, Centralia, Kansas, is requesting a qualifications and cost proposal to complete a study to reaffirm feasibility for thirty-three (33) Floodwater Retarding Dams (FRDs) and Grade Stabilization Dams (GSDs) in North Black Vermillion Watershed. The existing Watershed Work Plan is dated August 1966, and last amended November 1992. The Statement of Work provides the requirements to reaffirm feasibility for all planned, but not yet constructed, Public Law 83-566 dam sites in this watershed, with documentation acceptable to the USDA Natural Resources Conservation Service.

The award under this contract will be based on the following selection criteria:

1. Professional qualifications, specialized experience, and competence necessary for the satisfactory performance of watershed planning;
2. Technical understanding of the requirement, deliverables, and delivery schedule;
3. Experience on projects similar in scope to the work described in the geographic area;
4. Capacity to accomplish the work in the required time; and
5. Past performance on contracts in terms of quality of work, timeliness, and cost control.

In addition to the selection criteria above, proposals should address Statement of Work Section E (Personnel) and Section J (Measurement and Payment) with a proposed fee for services. Upon selection of the best qualified firm, negotiations will be conducted as needed to award a contract at a fair and reasonable price. The successful firm will then provide a consulting services contract document or service agreement for execution by both parties.

Proposals are due June 21, 2019. Questions and proposals should be submitted in writing to:

Kenneth Hermesch, Contracting Officer
Upper Black Vermillion Watershed Joint District No. 37
404 Commercial St.
PO Box 272
Centralia, KS 66415-0272
785-857-3347

Submit an electronic copy and at least one hard copy of the proposal to the Contracting Officer.

The Statement of Work, Reaffirming Feasibility, and all Exhibits are available upon request from the Contracting Officer.

Kenneth Hermesch
Contracting Officer

Doc. No. 047180

State of Kansas

Department of Agriculture

Notice of Hearing

Pursuant to the provisions of K.S.A. 2-2117, a hearing will be conducted at 10:00 a.m. Wednesday, June 26, 2019, in room 124, Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, KS 66502, in the matter of the issuance of a permanent quarantine regarding Caucasian Bluestem and Yellow Bluestem (*Bothriochloa bladhii* and *Bothriochloa ischaemum*). The proposed quarantine would affect all area within the borders of the State of Kansas and would prohibit movement of regulated items into or within the quarantined area.

Regulated items under quarantine would include the following:

- All seeds, plants, or parts of the plant of either Caucasian Bluestem or Yellow Bluestem (*Bothriochloa bladhii* and *Bothriochloa ischaemum*) capable of growing or propagation.

All interested persons may attend the hearing and will be given the opportunity to express comments either orally or in writing, or both. Interested parties may appear in person or by counsel.

Written comments and requests for information concerning the proposed quarantine should be directed to Jeff Vogel, Plant Protection & Weed Control Program Manager, Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, KS 66502, email jeff.vogel@ks.gov, at or before the time of hearing. A copy of the proposed quarantine may be accessed on the department's website at <https://agriculture.ks.gov/document-services/public-comment>. Comments may also be made through our website under the proposed quarantine. For persons intending to present oral testimony at the hearing, prior notice to the department would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request a copy of the quarantine in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Ronda Hutton at 785-564-6715 or by fax at 785-564-6777. Handicapped parking is located in the west parking lot and the entrance to the building is accessible to individuals with disabilities.

Michael M. Beam
Secretary

Doc. No. 047188

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing will be conducted at 1:00 p.m. Tuesday June 25, 2019, in the Azure Conference Room, 4th floor, Curtis State Office Building, 1000 SW Jackson St., Topeka, Kansas, to discuss the Kansas Public Water Sup-

ply Loan Fund (KPWSLF) 2020 Intended Use Plan (IUP). The Intended Use Plan will make additions to the Project Priority List and include estimates and uses of anticipated Capitalization Grants from the Environmental Protection Agency. Copies of the draft IUP can be obtained online at <http://www.kdheks.gov/pws/loansgrants/loanfundsdocumentsadministration.html>

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White at 785-296-5514.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Bureau of Water, Kansas Department of Health and Environment, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

Lee A. Norman, MD
Secretary

Doc. No. 047185

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. ONEOK Field Services Company, LLC – Bradshaw Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

ONEOK Field Services Company, LLC, PO Box 871, Tulsa, OK 74102-0871, owns and operates a natural gas compression and transmission facility located at Section 31, Township 21S, Range 40W, Hamilton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southwest District Office, 302 W. McArthur Rd., Dodge City, KS 67801. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman, 785-296-1713, at the central office of the KDHE or Ethel Evans, 620-356-1075 at the Southwest District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website, <http://www.kdheks.gov/bar/publicnotice.html>.

Please direct written comments or questions regarding the proposed permit to Ashley Eichman, KDHE, BOA,

1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, June 24, 2019.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Ashley Eichman, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, June 24, 2019 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Lee A Norman, M.D.
Secretary

Doc. No. 047184

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-19-185/191

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
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Remus Feedlot C.W. Remus 1798 110 Rd. Cawker City, KS 67430	SE/4 of Section of 20 T06S, R10W Mitchell County	Solomon River Basin
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Kansas Permit No. A-SOMC-B017

This is a renewal permit for an existing facility for 500 head (250 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
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Curtis Lowry Feedlot Curtis Lowry 25292 Road F Almena, KS 67622	W/2 of Section 32 T01S, R21W Norton County	Upper Republican River Basin
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Kansas Permit No. A-URNT-B009

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
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Transportation Consulting Inc. Sallee, Inc. 4555 N. Jennie Barker Rd. Garden City, KS 67846	NE/4 of Section 33 T23S, R32W Finney County	Upper Arkansas River Basin
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Kansas Permit No. A-UAFI-T002

This is a renewal permit for an existing facility for washing three or more owned trucks. There has been no change in the number of trucks washed from the last permit. This facility is currently inactive.

Name and Address of Applicant	Legal Description	Receiving Water
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Garry Roberts Feedlot Garry Roberts 15343 S. Road 100 E. Quinter, KS 67752	NE/4 of Section 31 T10S, R26W Sheridan County	Saline River Basin
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Kansas Permit No. A-SASD-B008

This is a renewal permit for an existing facility for 980 head (980 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
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Galen Geyer 10082 200 Ave. Wakeeney, KS 67672	SW/4 of Section 3 T11S, R24W Trego County	Saline River Basin
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Kansas Permit No. A-SATR-B001

This is a renewal permit for an existing facility for 900 head (450 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
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Duane Koster #1/ Sunbelt Farms Duane Koster PO Box 897 Garden City, KS 67846	S/2 of Section 25 and N/2 of Section 36 T24S, R35W Kearny County	Upper Arkansas River Basin
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Kansas Permit No. A-UAKE-C007
Federal Permit No. KS0096113

(continued)

This is a renewal permit for an existing facility for 1,998 head (999 animal units) of cattle weighing less than 700 pounds. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Lee Springer – Truck Sanitation Facility Lee Springer 3321 CR 5800 Independence, KS 67301	SE/4 of Section 22 T31S, R15E Montgomery County	Verdigris River Basin

Kansas Permit No. A-VEMG-T001

This is a renewal permit for an existing truck sanitation building used to heat and disinfect 3 or more owned trucks and trailers. There has been no change to the number of trucks washed from the last permit.

Public Notice No. KS-Q-19-114/116

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Board of Public Utilities (BPU) PO Box 768 McPherson, KS 67460	Little Arkansas River via Dry Turkey Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-LA11-CO03
Federal Permit No. KS0093602
Legal Description: NW¼, S24, T19S, R3W, McPherson County, Kansas
Facility Name: BPU – McPherson Power Plant #3
Facility Address: 1486 17th Ave., McPherson, KS 67460

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is an 80-Megawatt, simple cycle, natural-gas/diesel-fuel combustion turbine electric generating station to provide peak electrical power. Evaporative cooling with municipal water supply is utilized to cool air-intakes for the combustion turbine. The proposed permit contains monitoring for flow, oil and grease, and total recoverable selenium.

Name and Address of Applicant	Receiving Stream	Type of Discharge
FI Kansas Remediation Trust 8725 Rosehill Rd., Suite 450 Lenexa, KS 66215	Arkansas River via City of South Hutchinson WWTP Discharge Line	Process Wastewater

Kansas Permit No. I-AR82-PO15
Federal Permit No. KS0098591
Legal Description: NE¼, S25, T23S, R6W, Reno County, Kansas
Facility Name: FI Kansas Remediation Trust Wastewater Treatment Facility
Facility Address: 420 E. Avenue C, South Hutchinson, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is at the former Farmland Industries-owned grain elevator site. Grain silo fumigants have contaminated the groundwater. Two system of Air Sparge and soil vapor extraction methods are removing the volatile contaminants within the soil matrix downgradient of the elevator. Contaminated groundwater is pumped from 5 recovery wells and are comingled and treated via an air-stripper located in a renovated blower building at the old South Hutchinson wastewater treatment site. The proposed permit contains limits for carbon tetrachloride and pH, as well as monitoring for flow, chlorides, total phosphorus, and nitrate & nitrite.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Frankfort, City of 109 N. Kansas Frankfort, KS 66427	Big Blue River via Timber Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-BB07-PO03
Federal Permit No. KS0099775
Legal Description: SE¼, S9, T4S, R9E, Marshall County, Kansas
Facility Name: PWS #4 Source Treatment System
Facility Location: East side of K-99 Hwy., ½ mile north of 10th Street, Frankfort, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. Carbon tetrachloride (CCI4) contaminated groundwater is pumped from underneath the source area and treated in a 3-stage gravity flow cascade aeration system to remove CCI4 prior to discharge to an on-site irrigation pond for agricultural crop production. The proposed permit contains limits for carbon tetrachloride, as well as monitoring for flow.

Public Notice No. KS-PT-19-005

The requirements of the draft permits public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Fashion, Inc. 1019 North St. Ottawa, KS 66067	Ottawa WWTP	Process Wastewater

Kansas Permit No. P-MC31-OO02
Federal Permit No. KSP000083
The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility manufactures metal canopies for fuel stations made of fabricated steel. Steel parts are phosphate, using a five (5) stage conversion coating (phosphating) operation, which prepares the steel parts for paint. Wastewater from this operation, which is Outfall 001, discharges process wastes on a batch basis and discharges contaminated rinse water continuously, when the process is operating. The proposed permit contains pretreatment limitations for pH, total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc and cyanide.

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

State Permit	Project Name	City	County
S-LA23-0009	Ph 1 Water and Sewer for Tierra Verde South Addition	Bel Aire	Sedgwick
S-NE11-0024	Brant Quarry	Chanute	Neosho
S-MC08-0045	Widmer Property	Edgerton	Johnson
S-MC11-0042	National Ave. (13th–6th)	Fort Scott	Bourbon
S-AR49-0149	Mervis Railcar Repair Facility – Hutchinson, Kansas	Hutchinson	Reno
S-LR15-0029	Deer Trail Addition Unit No. 1	Junction City	Geary
S-MO25-0086	Inergy Automotive Systems at Central Industrial Park	Kansas City	Wyandotte

State Permit	Project Name	City	County
S-KS33-0005	MCM Jefferson City Sand Plant	Lecompton	Jefferson
S-AR60-0004	Sandy Creek Ranch (East Pond)	Medicine Lodge	Barber
S-LA13-0077	Asbury Main Campus Improvements	Newton	Harvey
S-KS52-0174	The Townhomes at Foxfield Village – 2nd Plat	Olathe	Johnson
S-KS52-0218	The Villas at Foxfield Village	Olathe	Johnson
S-KS55-0149	Haven at the Wilderness – 3rd Plat	Overland Park	Johnson
S-MC45-0043	New Building for Billy Waters	Spring Hill	Johnson
S-MO32-0036	199th Street 20' Transmission Main	Stilwell	Johnson
S-KS71-0047	Cornerstone Family Worship	Tonganoxie	Leavenworth
S-KS72-0378	Washburn Rural High School Baseball Field	Topeka	Shawnee
S-AR94-1336	The Wichita Center for the Arts	Wichita	Sedgwick

Proposed Action: The Kansas Department of Health and Environment (KDHE) issued Authorizations for stormwater discharges under of the Construction Stormwater General Permit for the above-named projects. K.S.A. 65-166a requires the Secretary of KDHE to assess appropriate annual fees for Authorizations/Permits issued by the Department and provides that failure to pay the annual fee shall be cause for revocation/termination of the Authorization/Permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Further, according to K.A.R. 28-16-62(f)-(g), the director has discretion to initiate termination of a permit. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the Authorizations associated with the projects named herein. The entity may re-instate the Authorization by paying the appropriate annual fees. If you have any questions regarding the termination of your permit, please contact the Stormwater Coordinator.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612-1367.

All comments regarding the draft documents or application notices received on or before June 22, 2019, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-185/191, KS-Q-19-114/116, KS-PT-19-005) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Envi-

ronment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Lee A. Norman, M.D.
Secretary

Doc. No. 047189

(Published in the Kansas Register May 23, 2019.)

Kansas Air Guard Credit Union

Notice of Application for Change of Name

The Kansas Department of Credit Unions has received an application for a change of name for Kansas Air Guard Credit Union, 5920 SE Coyote Dr., Topeka, KS 66619, to change its name to Forbes Field Credit Union.

Rebecca D. Brink
Credit Union CEO/ Manager

Doc. No. 047179

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU) intends to directly lease, and indirectly sublease through its affiliate corporation Wichita State Innovation Alliance, Inc., subject to all required state approvals, an approximate area of ground not to exceed 150,000 square feet with the potential for expansion for parking, for the private development of one or two partnership buildings. This private development shall be located west of Oliver, between 17th and 18th streets, on the Wichita State University main campus. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such ground for any period of time up to sixty-five years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, *(continued)*)

WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Rental rate shall be assessed per leased or leasable square foot of the building but is negotiable based on term of lease and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization, or company and such offers will be considered until a selection is made or this notice is withdrawn. If interested, please contact Vice President for Research and Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or University Property Manager Crystal Stegeman, crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Finance and Administration
Wichita State University

Doc. No. 047167

State of Kansas

Wichita State University

Notice of Intent to Lease Land and/or Building Space

Public notice is hereby given that Wichita State University (WSU) intends to lease available land and building space. The university will consider leasing such property and/or space to those whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good, or otherwise provide supporting services and amenities to the campus community (such as restaurants, retail establishments, financial institutions, etc.). Because tenant use must be a good fit with the university's educational mission and available space, please be prepared to provide the following information: (1) name; (2) square footage of space needs and desired lease term and location; (3) equipment, design, or other special needs; (4) description of anticipated use; and (5) the anticipated benefits to the university, its students, and the WSU community (e.g. applied learning, joint research, faculty start-up, etc.). The university will consider serious offers and inquiries from any financially qualified individual, group, organization, or company. If interested, please contact Vice President for Research & Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or Property Manager Crystal Stegeman, crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 046691

State of Kansas

Department of Health and Environment Division of Health Care Finance

Public Notice

The Kansas Department of Health and Environment (KDHE), Division of Health Care Finance (DHCF), is submitting a State Plan Amendment (SPA) to the Kansas Children's Health Insurance Program (CHIP) Plan. CHIP eligible children of parents/persons enrolled in the Kansas State Employee Health Plan (SEHP) are exempt from the 90-Day Waiting Period for CHIP coverage when the State employee chooses not to re-enroll the children in the SEHP at open enrollment.

The SPA corrects the Kansas CHIP Plan to reflect current policy and has no fiscal impact. The effective date of the SPA is July 1, 2018.

To obtain a copy of the proposed amendments or provide comments, please contact William Stelzner at William.Stelzner@ks.gov.

The last day for public comment is June 24, 2019.

Adam Proffitt
State Medicaid Director

Doc. No. 047192

State of Kansas

Department of Revenue Division of Vehicles

Notice of Intent to Establish a New Line-Make for an Existing New Motor Vehicle Dealer

Notice has been received from Jay Hatfield Motorsport, LLC, dba Jay Hatfield Motorsports of Wichita, of their intent of selling Honda Motorcycle franchised from the location of 11212 E. Kellogg, Wichita, KS 67207.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed addition of the new franchise of Honda Motorcycle franchised if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offer for sale by Jay Hatfield Motorsport, LLC, dba Jay Hatfield Motorsports of Wichita at 11212 E. Kellogg, Wichita, KS 67207, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e) includes the location where the new Honda Motorcycle franchised dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within thirty (30) days of this notice. Such petitions or complaints must be directed to the following address:

Kansas Department of Revenue
Director of Vehicles
Zibell Building
PO Box 2505
Topeka, KS 66611

Mark Burghart
Secretary

Doc. No. 047183

State of Kansas

**Department of Administration
Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the Director of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376:

05/28/2019	EVT0006622	Salt for Ice and Snow Removal
06/04/2019	EVT0006632	Bituminous Plant Mixture Commercial Grade
06/06/2019	EVT0006629	Chemistry Analyzer
06/12/2019	EVT0006628	Rest Area Maintenance – D4 Yates Center and Toronto
06/13/2019	EVT0006630	Rolander Bridge Replacement
06/17/2019	EVT0006626	Janitorial Services – Dodge City
06/21/2019	EVT0006633	Campus Wayfinding System
06/26/2019	EVT0006627	Shredding, Hard Drive Destruction and Box Storage

The above referenced bid documents can be downloaded at the following website:

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

**There are No Bids Under this Website
Closing in this Week’s Ad**

Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director
Office of Procurement and Contracts

Doc. No. 047193

State of Kansas

Department of Transportation

Notice of Public Auction

The Secretary of Transportation of the State of Kansas is offering for sale at public auction the following parcel with the complete legal description available upon request:

KID-24 & 25

1.52 acres total located at 206 E. 17th St., Concordia, KS

Terms of Sale

The minimum acceptable bid is \$46,900 and \$8,175. Initial payment of \$4,690 and/or \$817.50 representing ten percent (10%) of the minimum acceptable bid, is payable at the time of the sale. The balance of the purchase price must be paid on or before 3:00 p.m. Friday, July 12, 2019.

The successful bidder will receive a Bill of Sale on the day of the sale and a Quit Claim Deed after the balance is paid. If the balance of the purchase price is not paid on or before 3:00 p.m. on the day and date last noted, the initial payment will be forfeited to the seller.

The Secretary of Transportation reserves the right to reject any and all bids.

Tract will be sold subject to the easement for the right of ingress and egress, reconstruction, and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: *Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.*

The Kansas Department of Transportation (KDOT) makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses, and appliances thereof, if any. The property and said improvements, etc. will be sold in the present as is condition, without warranties or guarantees of any kind.

KDOT insures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap, or national origin.

Prior arrangement by one or more parties may have been made for the submission of bids by email or telephone. If such arrangements have been made, bidding may be halted occasionally while contact is made with these bidders or with KDOT personnel that have been placed in a position of receiving remote bids. After a remote bid has been received, those present in person will be given the opportunity to submit a higher bid.

The information presented today supersedes and replaces all previous verbal and printed announcements. The information presented today and in the promotional materials is accurate and correct to the best of owner’s knowledge. Please do not bid unless you are satisfied that you have performed your own due diligence regarding access, zoning, and availability of utilities as well as the chain of title.

Julie Lorenz
Secretary

Doc. No. 047181

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/Proposal.aspx>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the “Bid Holders List,” or to be included on the “NonBid Holders List” as a subcontractor/supplier. KDOT’s approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of *(continued)*

the Kansas Department of Transportation *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic internet proposals using the Bid Express website at <http://www.bidx.com> until 1:00 p.m. (CST) June 19, 2019. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 SW Harrison, Topeka, Kansas, at 1:30 p.m. (CS)T June 19, 2019. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

Multiple Districts – Statewide

Statewide – 106 KA-5238-01 – ADA Curb Ramps at the following locations – District One – K-92 in Oskaloosa in Jefferson County and U.S. 24 in Wamego and Belvue in Pottawatomie County; District Two – U.S. 81 in McPherson in McPherson County; District Three – U.S. 281 in Portis in Osborne County and K-18 in Plainville and U.S. 183 in Plainville and Stockton in Rooks County; District Five – U.S. 183 in La Crosse in Rush County and U.S. 81 in Caldwell and South Haven in Sumner County; District Six – K-96 in Dighton in Lane County, special. (State Funds)

District One – Northeast

Johnson – 07-46 KA-5252-01 – K-7, bridges #191 and #192 located at the south K-7/K-10 junction, bridge repair. (Federal Funds)

Lyon – 99-56 KA-5078-01 – K-99, bridge #154 over 142 Mile Creek located approximately 686 feet north of U.S. 56, bridge repair. (Federal Funds)

Marshall – 77-58 KA-4759-01 – U.S. 77 from 1,300 feet south of U.S. 36 north to U.S. 36, pavement reconstruction, 0.2 mile. (Federal Funds)

Shawnee – 70-89 KA-5077-01 – I-70, bridge #275 over West Union Road located 1.49 miles east of the Wabaunsee/Shawnee county line, bridge repair. (Federal Funds)

Shawnee – 89 TE-0465-01 – Topeka- Bikeways Phase 3 at various locations in the city including 8th Avenue, pedestrian and bicycle paths. (Federal Funds)

Wabaunsee – 70-99 KA-5076-01 – I-70, Bridges #098 and #099 over Keene Road located 1.01 miles east of K-30, bridge repair. (Federal Funds)

District Two – North Central

Cloud – 15 C-4888-01 – Various paved major collector roads in the county, signing, 88.0 miles. (Federal Funds)

Geary – 77-31 KA-3953-01 – U.S. 77, bridge #043 over Rush Creek located 1.41 miles north of the north K-57 junction, bridge repair. (Federal Funds)

Geary – 70-31 KA-4986-01 – I-70, reinforced concrete box bridge #528 located 2.88 miles east of the Dickinson/Geary county line, culvert, 1.0 mile. (Federal Funds)

Geary – 70-31 KA-5075-01 – I-70, bridges #085 and #086 over East Street located 3.1 miles east of the K-18/I-70 junction, bridge repair. (Federal Funds)

Lincoln – 14-53 KA-5073-01 – K-14, bridge #041 over Rattlesnake Creek located 1.09 miles north of K-284, bridge repair. (Federal Funds)

McPherson – 61-59 KA-5074-01 – K-61, bridges #132 and #133 over Blaze Fork Creek located 8.76 miles north-east of the Reno/McPherson county line, bridge repair. (Federal Funds)

District Three – Northwest

Decatur – 83-20 KA-5270-01 – U.S. 83, beginning approximately 1,077 feet south of the U.S. 36/U.S. 83 junction north 285 feet in the city of Oberlin, milling and overlay, 0.1 mile. (State Funds)

Ellis – 26 C-4894-01 – All major and minor collector roads in the southwest quarter of the county, signing, 112.0 miles. (Federal Funds)

Norton – 283-69 KA-5271-01 – U.S. 283, from the south city limits of Norton north to the U.S. 36/U.S. 283 junction, milling and overlay, 1.0 mile. (State Funds)

Statewide – 106 KA-5269-01 – Various locations in District Three in Wallace, Logan, Thomas, Sheridan, Decatur, Norton, Phillips, and Ellis counties, milling. (State Funds)

District Four – Southeast

Greenwood – 99-37 KA-5080-01 – K-99, bridge #074 over Willow Creek located 8.8 miles south of K-58, bridge repair. (Federal Funds)

District Five – South Central

Cowley – 18 C-4890-01 – Various locations in in the middle third of the county, signing, 102.0 miles. (Federal Funds)

Kiowa – 400-49 KA-5272-01 – U.S. 400, beginning at the Ford/Kiowa county line east to the U.S. 54/U.S. 400 junction in Kiowa county, sealing, 6.3 miles. (State Funds)

District Six – Southwest

Greeley – 36 C-4892-01 – All major collector roads in the county, signing, 154.0 miles. (Federal Funds)

Hamilton – 27-38 KA-5219-01 – K-27, bridge #039 over the Arkansas River located 15.77 miles north of the Hamilton/Stanton county line, bridge repair. (State Funds)

Ness – 68 C-4903-01 – All major collector roads south of K-96 and west of U.S. 283 in the county, signing, 51.0 miles. (Federal Funds)

Julie Lorenz
Secretary

Doc. No. 047182

(Published in the Kansas Register May 23, 2019.)

**Unified School District No. 232,
Johnson County, Kansas (De Soto)**

**Summary Notice of Bond Sale
\$35,000,000***

**General Obligation Improvement Bonds,
Series 2019-A**

**(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated on or about May 24, 2019 (the "Notice"), facsimile and electronic bids will be received on behalf of the Assistant Superintendent of Unified School District No. 232, Johnson County, Kansas (De Soto) (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 10:00 a.m. (CST) June 3, 2019, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated June 20, 2019, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2024	\$1,530,000	2032	\$2,230,000
2025	1,610,000	2033	2,320,000
2026	1,690,000	2034	2,415,000
2027	1,780,000	2035	2,510,000
2028	1,870,000	2036	2,600,000
2029	1,965,000	2037	2,680,000
2030	2,055,000	2038	2,760,000
2031	2,140,000	2039	2,845,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2020.

Book-Entry-Only System

The Bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$700,000.

Delivery

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and regis-

tered without cost to the successful bidder on or about June 20, 2019, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2018 was \$599,903,663. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$151,150,000.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds, and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the undersigned, or from the Municipal Advisor, at the addresses set forth below.

**Issuer – Facsimile Bid and Good Faith Deposit
Delivery Address**

U.S.D. No. 232, Johnson County, KS (De Soto)
Attn: Ken Larsen
35200 W. 91st St.
De Soto, KS 66018
913-667-6200
Fax: 913-667-6201
klarsen@usd232.org

Municipal Advisor

George K. Baum & Company
Attn: Roger Edgar
4801 Main St., Suite 500
Kansas City, MO 64112
816-283-5135
Fax: 816-983-5535
edgar@gkbaum.com

Dated May 23, 2019.

Wendy Denham
Board Clerk

* Subject to change, see the Notice
Doc. No. 047190

(Published in the Kansas Register May 23, 2019.)

City of Leavenworth, Kansas

**Summary Notice of Bond Sale
\$1,400,000***

**General Obligation Bonds
Series 2019-A**

**(General obligation bonds payable
from unlimited ad valorem taxes)**

Bids

Subject to the Official Notice of Bond Sale and Preliminary Official Statement dated May 29, 2019, sealed, facsimile, and electronic bids will be received by the City Clerk of the City of Leavenworth, Kansas, (the "City" or the "Issuer") on behalf of the governing body of the
(continued)

City in the case of sealed bids, at City Hall, 100 N. Fifth, Leavenworth, KS 66048, via facsimile at 913-651-7143, and in the case of electronic bids via BIDCOMP/PARITY electronic bid submission system, until 10:00 a.m. (CST) Tuesday, June 11, 2019, for the purchase of \$1,400,000 principal amount of General Obligation Bonds, Series 2019-A (the "Bonds"). No bid of less than the entire par value of the Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the Bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The Bonds will be dated June 27, 2019, and will become due serially on September 1, in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2020	\$125,000	2025	\$140,000
2021	130,000	2026	145,000
2022	135,000	2027	145,000
2023	135,000	2028	150,000
2024	140,000	2029	155,000

The Bonds will be subject to mandatory and optional redemption prior to maturity as provided in the Official Notice of Bond Sale.

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning on March 1, 2020.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas will be the Paying Agent and Bond Registrar.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America, a wire transfer or a qualified financial surety bond in the amount of \$28,000 (2 percent of the principal amount of the Bonds).

Delivery

The Issuer will pay for printing the Bonds and will deliver the same properly prepared, executed, and registered to the facilities of the Depository Trust Company, Jersey City, New Jersey, without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2018 is \$240,713,715. The total general obligation indebtedness of the Issuer, following the concurrent issuance of the Bonds and the Issuer's Temporary Notes, Series A2019 in the principal amount of \$7,430,000 is \$37,900,000 (which excludes a portion of the City's Temporary Notes, Series A2018, in the princi-

pal amount of \$1,545,000 which will be redeemed and paid with proceeds of the Bonds and other legally available funds of the City).

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the Bonds, will be furnished and paid for by the Issuer and delivered to the successful bidder as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the City Clerk at 913-684-0335, or from the City's Financial Advisor, Raymond James & Associates, Inc., Attn: Greg Vahrenberg, 1201 Walnut, 21st Floor, Kansas City, MO 64106, phone 816-391-4120, email greg.vahrenberg@raymondjames.com.

Dated May 23, 2019.

City of Leavenworth, Kansas
 Carla K. Williamson, City Clerk
 City Hall
 100 N. Fifth St.
 Leavenworth, KS 66048
 913-684-0335

* Subject to Change
 Doc. No. 047187

(Published in the Kansas Register May 23, 2019.)

**Reno/Harvey Joint Fire District No. 2,
 Reno County, Kansas**

**Notice of Intent to Seek Private Placement General
 Obligation Bonds, Series 2019**

Notice is hereby given that Reno/Harvey Joint Fire District No. 2, Reno County, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$240,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the adoption of a resolution by the governing body of the Issuer authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated May 14, 2019.

Donna Patton
 County Clerk

Doc. No. 047194

State of Kansas

Secretary of State

Certification of New State Laws

I, Scott Schwab, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Scott Schwab
 Secretary of State

(Published in the Kansas Register May 23, 2019.)

Senate Bill No. 18

AN ACT concerning crimes, punishment and criminal procedure; relating to involuntary manslaughter; abuse of a child; counterfeiting currency; sentencing; conditions of probation; sanctions for violation; determination of offender's criminal history classification; comparable offense; appeal of sentence; correction of sentence; departure sentence; mitigating factors; certified drug abuse treatment program; requiring law enforcement to provide information to victims when an arrest is made for a domestic violence offense; presentence investigation report; diversion agreements; attorney general; amending K.S.A. 22-2906 and K.S.A. 2018 Supp. 21-5405, 21-5602, 21-5840, 21-6604, 21-6811, 21-6813, 21-6815, 21-6820, 21-6824, 22-2307, 22-2909, 22-3504, 22-3716 and 22-3717 and repealing the existing sections; also repealing K.S.A. 2018 Supp. 21-6811c.

WHEREAS, the provisions of K.S.A. 2018 Supp. 21-5405 and 21-5602, as amended by this act, shall be known as Mireya's law.

Now, therefore:

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

Section 1. On and after July 1, 2019, K.S.A. 2018 Supp. 21-5840 is hereby amended to read as follows: 21-5840. (a) Counterfeiting currency is ~~with the intent to defraud~~:

(1) Making, forging or altering any note, currency, obligation or security of the United States ~~with the intent to defraud~~;

(2) distributing, or possessing with the intent to distribute, any note, currency, obligation or security of the United States knowing such note, currency, obligation or security has been ~~so~~ made, forged or altered ~~with the intent to defraud~~; or

(3) possessing any paper, ink, printer, press, currency plate, ~~computer~~ or other item with the intent to ~~produce any counterfeit~~ make, forge or alter any note, currency, obligation or security of the United States.

(b) Counterfeiting currency as defined in:

(1) Subsection (a)(1) or (a)(2) is a:

(A) Severity level 7, nonperson felony, if the total face value of the notes, currency, obligations or securities ~~seized~~ is \$25,000 or more; and

(B) severity level 8, nonperson felony, if the total face value of the notes, currency, obligations or securities ~~seized~~ is less than \$25,000; and

(2) subsection (a)(3) is a severity level 9, nonperson felony.

(c) This section shall be part of and supplemental to the Kansas criminal code.

Sec. 2. On and after July 1, 2019, K.S.A. 2018 Supp. 21-6813 is hereby amended to read as follows: 21-6813. (a) The court shall order the preparation of the presentence investigation report by the court services officer as soon as possible after conviction of the defendant.

(b) Each presentence *investigation* report prepared for an offender to be sentenced for one or more felonies committed on or after July 1, 1993, shall be limited to the following information:

(1) A summary of the factual circumstances of the crime or crimes of conviction.

(2) If the defendant desires to do so, a summary of the defendant's version of the crime.

(3) When there is an identifiable victim, a victim report. The person preparing the victim report shall submit the report to the victim and request that the information be returned to be submitted as a part of the presentence investigation. To the extent possible, the report shall include a complete listing of restitution for damages suffered by the victim.

(4) An appropriate classification of each crime of conviction on the crime severity scale.

(5) A listing of prior adult convictions or juvenile adjudications for felony or misdemeanor crimes or violations of county resolutions or city ordinances comparable to any misdemeanor defined by state law. Such listing shall include an assessment of the appropriate classification of the criminal history on the criminal history scale and the source of information regarding each listed prior conviction and any available source of journal entries or other documents through which the listed convictions may be verified. If any such journal entries or other documents are obtained by the court services officer, they shall be attached to the presentence investigation report. Any prior criminal history worksheets of the defendant shall also be attached.

(6) A proposed grid block classification for each crime, or crimes of conviction and the presumptive sentence for each crime, or crimes of conviction.

(7) If the proposed grid block classification is a grid block ~~which~~ that presumes imprisonment, the presumptive prison term range and the presumptive duration of postprison supervision as it relates to the crime severity scale.

(8) If the proposed grid block classification does not presume prison, the presumptive prison term range and the presumptive duration of the nonprison sanction as it relates to the crime severity scale and the court services officer's professional assessment as to recommendations for conditions to be mandated as part of the nonprison sanction.

(9) For defendants who are being sentenced for a conviction of a felony violation of K.S.A. 65-4160 or 65-4162, prior to their repeal, or K.S.A. 2018 Supp. 21-5706, and amendments thereto, and meet the requirements of K.S.A. 2018 Supp. 21-6824, and amendments thereto, the drug abuse assessment as provided in K.S.A. 2018 Supp. 21-6824, and amendments thereto.

(10) For defendants who are being sentenced for a third or subsequent felony conviction of a violation of K.S.A. 65-4160 or 65-4162, prior to their repeal, or K.S.A. 2018 Supp. 21-5706, and amendments thereto, the drug abuse assessment as provided in K.S.A. 2018 Supp. 21-6824, and amendments thereto.

(c) The presentence *investigation* report will become part of the court record and shall be accessible to the public, except that the official version, defendant's version and the victim's statement, any psychological reports, risk and needs assessments and drug and alcohol reports and assessments shall be accessible only to: The parties; the sentencing judge; the department of corrections; *community correctional services*; any entity required to receive the information under the interstate compact for adult offender supervision; and, if requested, the Kansas sentencing commission. If the offender is committed to the custody of the secretary of corrections, the report shall be sent to the secretary and, in accordance with K.S.A. 75-5220, and amendments thereto, to the warden of the state correctional institution to which the defendant is conveyed.

(d) The criminal history worksheet will not substitute as a presentence *investigation* report.

(e) The presentence *investigation* report will not include optional report components, which would be subject to the discretion of the sentencing court in each district except for psychological reports and drug and alcohol reports.

(f) Except as provided in K.S.A. 2018 Supp. 21-6814, and amendments thereto, the court may take judicial notice in a subsequent felony proceeding of an earlier presentence *investigation* report criminal history worksheet prepared for a prior sentencing of the defendant for a felony committed on or after July 1, 1993.

(g) All presentence *investigation* reports in any case in which the defendant has been convicted of a felony shall be on a form approved by the Kansas sentencing commission.

Sec. 3. On and after July 1, 2019, K.S.A. 22-2906 is hereby amended to read as follows: 22-2906. As used in K.S.A. 22-2907 ~~to~~ through 22-2911, ~~inclusive and amendments thereto~~:

~~(1)(a)~~ "District attorney" means district attorney ~~or~~, county attorney or attorney general.

~~(2)(b)~~ "Complaint" means complaint, indictment or information.

~~(3)(c)~~ "Diversion" means referral of a defendant in a criminal case to a supervised performance program prior to adjudication.

~~(4)(d)~~ "Diversion agreement" means the specification of formal terms and conditions which a defendant must fulfill in order to have the charges against him or her dismissed.

Sec. 4. On and after July 1, 2019, K.S.A. 2018 Supp. 22-2909 is hereby amended to read as follows: 22-2909. (a) (1) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the attorney general or county or district attorney, such attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to a speedy arraignment, preliminary examinations and hearings, and a speedy trial, and in the case of diversion under subsection (c) waiver of the rights to counsel and trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering

(continued)

medical, educational, vocational, social and psychological services, corrective and preventive guidance and other rehabilitative services.

(2) If a county creates a local fund under the property crime restitution and compensation act, a county or district attorney may require in all diversion agreements as a condition of diversion the payment of a diversion fee in an amount not to exceed \$100. Such fees shall be deposited into the local fund and disbursed pursuant to recommendations of the local board under the property crime restitution and victims compensation act.

(3) *If the attorney general enters into a diversion agreement: (A) Any diversion costs or fees collected pursuant to such agreement shall be deposited in the fraud and abuse criminal prosecution fund established by K.S.A. 75-765, and amendments thereto; and (B) the attorney general may enter into agreements with the appropriate county or district attorney or other appropriate parties regarding the supervision of conditions of such diversion agreement.*

(b) The diversion agreement shall state: (1) The defendant's full name; (2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name; (3) the defendant's sex, race and date of birth; (4) the crime with which the defendant is charged; (5) the date the complaint was filed; and (6) the district court with which the agreement is filed.

(c) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567, and amendments thereto, the diversion agreement shall include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, in accordance with K.S.A. 8-1567, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(d) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a domestic violence offense, as defined in K.S.A. 2018 Supp. 21-5111, and amendments thereto, the diversion agreement shall include a requirement that the defendant undergo a domestic violence offender assessment and follow all recommendations unless otherwise agreed to with the prosecutor in the diversion agreement. The defendant shall be required to pay for such assessment and, unless otherwise agreed to with the prosecutor in the diversion agreement, for completion of all recommendations.

(e) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation other than K.S.A. 8-1567, and amendments thereto, the diversion agreement may include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint.

(f) If the person entering into a diversion agreement is a nonresident, the attorney general or county or district attorney shall transmit a copy of the diversion agreement to the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(g) If the attorney general or county or district attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the district court and the district court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the district court shall resume the criminal proceedings on the complaint.

(h) Except as provided in subsection (i), if a diversion agreement is entered into in lieu of further criminal proceedings alleging commission

of a misdemeanor by the defendant, while under 21 years of age, under K.S.A. 2018 Supp. 21-5701 through 21-5717, and amendments thereto, or K.S.A. 41-719, 41-727, 41-804, 41-2719 or 41-2720, and amendments thereto, the agreement shall require the defendant to participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(i) If the defendant is 18 or more years of age but less than 21 years of age and allegedly committed a violation of K.S.A. 41-727, and amendments thereto, involving cereal malt beverage, the provisions of subsection (h) are permissive and not mandatory.

(j) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 2018 Supp. 21-6421, and amendments thereto, the agreement:

(1) Shall include a requirement that the defendant pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 2018 Supp. 21-6421, and amendments thereto; and

(2) may include a requirement that the defendant enter into and complete a suitable educational or treatment program regarding commercial sexual exploitation.

(k) Except diversion agreements reported under subsection (l), the attorney general or county or district attorney shall forward to the Kansas bureau of investigation a copy of the diversion agreement at the time such agreement is filed with the district court. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

(l) At the time of filing the diversion agreement with the district court, the attorney general or county or district attorney shall forward to the division of vehicles of the state department of revenue a copy of any diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567, and amendments thereto. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

Sec. 5. On and after July 1, 2019, K.S.A. 2018 Supp. 21-5405 is hereby amended to read as follows: 21-5405. (a) Involuntary manslaughter is the killing of a human being committed:

(1) Recklessly;

(2) in the commission of, or attempt to commit, or flight from any felony, other than an inherently dangerous felony as defined in K.S.A. 2018 Supp. 21-5402, and amendments thereto, that is enacted for the protection of human life or safety or a misdemeanor that is enacted for the protection of human life or safety, including acts described in K.S.A. 8-1566 and 8-1568(a), and amendments thereto, but excluding the acts described in K.S.A. 8-1567, and amendments thereto;

(3) in the commission of, or attempt to commit, or flight from an act described in K.S.A. 8-1567, and amendments thereto;

(4) during the commission of a lawful act in an unlawful manner; or

(5) in the commission of, or attempt to commit, or flight from an act described in K.S.A. 8-1567, and amendments thereto, 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.

(b) Involuntary manslaughter as defined in:

(1) Subsection (a)(1), (a)(2) or (a)(4) is a:

(A) Severity level 5, person felony, *except as provided in subsection (b)(1)(B); and*

(B) *severity level 3, person felony, if the victim is under the age of six years;*

(2) subsection (a)(3) is a severity level 4, person felony; and

(3) subsection (a)(5) is a severity level 3, person felony.

Sec. 6. On and after July 1, 2019, K.S.A. 2018 Supp. 21-5602 is hereby amended to read as follows: 21-5602. (a) Abuse of a child is knowingly:

(1) Torturing or cruelly beating any child under the age of 18 years;

(2) shaking any child under the age of 18 years which results in great bodily harm to the child; or

(3) inflicting cruel and inhuman corporal punishment upon any child under the age of 18 years.

(b) Abuse of a child is a:

(1) Severity level 5, person felony, *except as provided in subsection (b) (2); and*

(2) *severity level 4, person felony, if the victim is under the age of six years.*

(c) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for any form of battery or homicide.

Sec. 7. On and after July 1, 2019, K.S.A. 2018 Supp. 21-6815 is hereby amended to read as follows: 21-6815. (a) Except as provided in subsection (b), the sentencing judge shall impose the presumptive sentence provided by the sentencing guidelines unless the judge finds substantial and compelling reasons to impose a departure sentence. If the sentencing judge departs from the presumptive sentence, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure.

(b) Subject to the provisions of K.S.A. 2018 Supp. 21-6817(b), and amendments thereto, any fact that would increase the penalty for a crime beyond the statutory maximum, other than a prior conviction, shall be submitted to a jury and proved beyond a reasonable doubt.

(c) (1) Subject to the provisions of subsections (c)(3) and (e), the following nonexclusive list of mitigating factors may be considered in determining whether substantial and compelling reasons for a departure exist:

(A) The victim was an aggressor or participant in the criminal conduct associated with the crime of conviction, *except that this factor shall not apply to a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, or electronic solicitation as defined in K.S.A. 2018 Supp. 21-5509, and amendments thereto, when: (i) The victim is less than 14 years of age and the offender is 18 or more years of age; or (ii) the offender hires any person by giving, or offering to or agreeing to give, anything of value to the person to engage in an unlawful sex act.*

(B) The offender played a minor or passive role in the crime or participated under circumstances of duress or compulsion. This factor may be considered when it is not sufficient as a complete defense.

(C) The offender, because of physical or mental impairment, lacked substantial capacity for judgment when the offense was committed. The voluntary use of intoxicants, drugs or alcohol does not fall within the purview of this factor.

(D) The defendant, or the defendant's children, suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(E) The degree of harm or loss attributed to the current crime of conviction was significantly less than typical for such an offense.

(F) The offender committed such crime as a result of an injury, including major depressive disorder, polytrauma, post-traumatic stress disorder or traumatic brain injury, connected to service in a combat zone, as defined in section 112 of the federal internal revenue code of 1986, in the armed forces of the United States of America. As used in this subsection, "major depressive disorder," "polytrauma," "post-traumatic stress disorder" and "traumatic brain injury" shall mean the same as such terms are defined in K.S.A. 2018 Supp. 21-6630, and amendments thereto.

(2) Subject to the provisions of subsection (c)(3), the following non-exclusive list of aggravating factors may be considered in determining whether substantial and compelling reasons for departure exist:

(A) The victim was particularly vulnerable due to age, infirmity, or reduced physical or mental capacity which was known or should have been known to the offender.

(B) The defendant's conduct during the commission of the current offense manifested excessive brutality to the victim in a manner not normally present in that offense.

(C) The offense was motivated entirely or in part by the race, color, religion, ethnicity, national origin or sexual orientation of the victim or the offense was motivated by the defendant's belief or perception, entirely or in part, of the race, color, religion, ethnicity, national origin or sexual orientation of the victim whether or not the defendant's belief or perception was correct.

(D) The offense involved a fiduciary relationship which existed between the defendant and the victim.

(E) The defendant, 18 or more years of age, employed, hired, used, persuaded, induced, enticed or coerced any individual under 16 years of age to:

(i) Commit any person felony;

(ii) assist in avoiding detection or apprehension for commission of any person felony; or

(iii) attempt, conspire or solicit, as defined in K.S.A. 2018 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, to commit any person felony.

That the defendant did not know the age of the individual under 16 years of age shall not be a consideration.

(F) The defendant's current crime of conviction is a crime of extreme sexual violence and the defendant is a predatory sex offender. As used in this subsection:

(i) "Crime of extreme sexual violence" is a felony limited to the following:

(a) A crime involving a nonconsensual act of sexual intercourse or sodomy with any person;

(b) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is 14 or more years of age but less than 16 years of age and with whom a relationship has been established or promoted for the primary purpose of victimization;

(c) a crime involving an act of sexual intercourse, sodomy or lewd fondling and touching with any child who is less than 14 years of age;

(d) aggravated human trafficking, as defined in K.S.A. 2018 Supp. 21-5426(b), and amendments thereto, if the victim is less than 14 years of age; or

(e) commercial sexual exploitation of a child, as defined in K.S.A. 2018 Supp. 21-6422, and amendments thereto, if the victim is less than 14 years of age.

(ii) "Predatory sex offender" is an offender who has been convicted of a crime of extreme sexual violence as the current crime of conviction and who:

(a) Has one or more prior convictions of any crimes of extreme sexual violence. Any prior conviction used to establish the defendant as a predatory sex offender pursuant to this subsection shall also be counted in determining the criminal history category; or

(b) suffers from a mental condition or personality disorder which makes the offender likely to engage in additional acts constituting crimes of extreme sexual violence.

(iii) "Mental condition or personality disorder" means an emotional, mental or physical illness, disease, abnormality, disorder, pathology or condition which motivates the person, affects the predisposition or desires of the person, or interferes with the capacity of the person to control impulses to commit crimes of extreme sexual violence.

(G) The defendant was incarcerated during the commission of the offense.

(H) The crime involved two or more participants in the criminal conduct, and the defendant played a major role in the crime as the organizer, leader, recruiter, manager or supervisor.

In determining whether aggravating factors exist as provided in this section, the court shall review the victim impact statement.

(3) If a factual aspect of a crime is a statutory element of the crime or is used to subclassify the crime on the crime severity scale, that aspect of the current crime of conviction may be used as an aggravating or mitigating factor only if the criminal conduct constituting that aspect of the current crime of conviction is significantly different from the usual criminal conduct captured by the aspect of the crime.

(d) In determining aggravating or mitigating circumstances, the court shall consider:

(1) Any evidence received during the proceeding;

(2) the presentence report;

(3) written briefs and oral arguments of either the state or counsel for the defendant; and

(4) any other evidence relevant to such aggravating or mitigating circumstances that the court finds trustworthy and reliable.

(e) Upon motion of the prosecutor stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who is alleged to have committed an offense, the court may consider such mitigation in determining whether substantial and compelling reasons for a departure exist. In considering this mitigating factor, the court may consider the following:

(1) The court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the prosecutor's evaluation of the assistance rendered;

(2) the truthfulness, completeness and reliability of any information or testimony provided by the defendant;

(3) the nature and extent of the defendant's assistance;

(4) any injury suffered, or any danger or risk of injury to the de-

(continued)

defendant or the defendant's family resulting from such assistance; and
 (5) the timeliness of the defendant's assistance.

Sec. 8. On and after July 1, 2019, K.S.A. 2018 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567 or 8-2,144, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2018 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by K.S.A. 2018 Supp. 21-6602(c), and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity ~~which that~~ materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2018 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire ~~which that~~ has been determined to be arson or aggravated arson as defined in K.S.A. 2018 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation ~~which that~~ leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in K.S.A. 2018 Supp. 21-6804(i), and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program shall serve the total number of hours of confinement mandated by that section;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances ~~which that~~ would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2018 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. In regard to a violation of K.S.A. 2018 Supp. 21-5801, 21-5807 or 21-5813, and amendments thereto, such damage or loss shall include the cost of repair or replacement of the property that was damaged, the reasonable cost of any loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant, which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 et seq., and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by K.S.A. 2018 Supp. 21-6602(d), and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court ~~which that~~ sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed consecutively pursuant to the provisions of K.S.A. 2018 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed during a period of time ~~during which when~~ the defendant would have been on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony had the defendant not been granted release by the court pursuant to K.S.A. 2018 Supp. 21-6608(d),

and amendments thereto, or the prisoner review board pursuant to K.S.A. 22-3717, and amendments thereto, the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(3) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2018 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(4) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed consecutively pursuant to the provisions of K.S.A. 2018 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2018 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2018 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendments thereto, or a community intermediate sanction center. Pursuant to this subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or community intermediate sanction center and the defendant meets all of the conservation camp's or community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or community intermediate sanction center.

(h) In committing a defendant to the custody of the secretary of corrections, the court shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the

burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court ~~which~~ *that* sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense ~~which~~ *that* is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense ~~which~~ *that* is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2018 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2018 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) (1) Except as provided by K.S.A. 2018 Supp. 21-6630 and 21-6805(f), and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2018 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2018 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2018 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(2) If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the defendant's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to sanction or revocation pursuant to the provisions of K.S.A. 22-3716, and amendments thereto. If the defendant's probation is revoked, the defendant shall serve the underlying prison sentence as established in K.S.A. 2018 Supp. 21-6805, and amendments thereto.

(A) Except as provided in subsection (n)(2)(B), for those offenders who are convicted on or after July 1, 2003, but prior to July 1, 2013, upon completion of the underlying prison sentence, the offender shall not be subject to a period of postrelease supervision.

(continued)

(B) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1)(C) or (c)(1)(D), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2018 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order ~~which~~ *that* places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license, which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" mean the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2018 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing

if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2018 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

(s) Whenever the court has released the defendant on probation pursuant to subsection (a)(3), the defendant's supervising court services officer, with the concurrence of the chief court services officer, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court, unless: ~~(1) The court has specifically withheld this authority in its sentencing order; or~~

~~(2) the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.~~

(t) Whenever the court has assigned the defendant to a community correctional services program pursuant to subsection (a)(4), the defendant's community corrections officer, with the concurrence of the community corrections director, may impose the violation sanctions as provided in K.S.A. 22-3716(c)(1)(B), and amendments thereto, without further order of the court unless:

~~(1) The court has specifically withheld this authority in its sentencing order; or~~

~~(2) the defendant, after being apprised of the right to a revocation hearing before the court pursuant to K.S.A. 22-3716(b), and amendments thereto, refuses to waive such right.~~

(u) In addition to any of the above, the court shall authorize an additional 18 days of confinement in a county jail to be reserved for sanctions as set forth in K.S.A. 22-3716(b)(3)(B), (b)(4) or (c)(1)(B), and amendments thereto.

Sec. 9. On and after July 1, 2019, K.S.A. 2018 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, convicted of a felony violation of K.S.A. 2018 Supp. 21-5705 or 21-5706, and amendments thereto, whose offense is classified in grid blocks:

(1) 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. 2018 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; or

(2) 5-A, 5-B, 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes, 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. 2018 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction, if 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 non-drug crimes, and 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. 2018 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 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 high or low risk status to the offender.

(c) If the offender is assigned a high risk status as determined by the drug abuse assessment performed pursuant to subsection (b)(1) and a moderate or high risk status as determined by the criminal risk-need assessment performed pursuant to subsection (b)(2), 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. 2018 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.

(e) Placement of offenders under subsection (a)(2) 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 offender'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. 2018 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 secretary of corrections to treat offenders pursuant to K.S.A. 2018 Supp. 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; or

(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. 10. On and after July 1, 2019, K.S.A. 2018 Supp. 22-3716 is hereby amended to read as follows: 22-3716. (a) At any time during

probation, assignment to a community correctional services program, suspension of sentence or pursuant to subsection (e) for defendants who committed a crime prior to July 1, 1993, and at any time during which when a defendant is serving a nonprison sanction for a crime committed on or after July 1, 1993, or pursuant to subsection (e), the court may issue a warrant for the arrest of a defendant for violation of any of the conditions of release or assignment, a notice to appear to answer to a charge of violation or a violation of the defendant's nonprison sanction. The notice shall be personally served upon the defendant. The warrant shall authorize all officers named in the warrant to return the defendant to the custody of the court or to any certified detention facility designated by the court. Any court services officer or community correctional services officer may arrest the defendant without a warrant or may deputize any other officer with power of arrest to do so by giving the officer a written or verbal statement setting forth that the defendant has, in the judgment of the court services officer or community correctional services officer, violated the conditions of the defendant's release or a nonprison sanction. A written statement delivered to the official in charge of a county jail or other place of detention shall be sufficient warrant for the detention of the defendant. After making an arrest, the court services officer or community correctional services officer shall present to the detaining authorities a similar statement of the circumstances of violation. Provisions regarding release on bail of persons charged with a crime shall be applicable to defendants arrested under these provisions.

(b) (1) Upon arrest and detention pursuant to subsection (a), 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 defendant has violated the conditions of release or assignment or a nonprison sanction.

(2) Unless the defendant, after being apprised of the right to a hearing by the supervising court services or community correctional services officer, waives such hearing, the court shall cause the defendant to be brought before it without unnecessary delay for a hearing on the violation charged. The hearing shall be in open court and the state shall have the burden of establishing the violation. The defendant shall have the right to be represented by counsel and shall be informed by the judge that, if the defendant is financially unable to obtain counsel, an attorney will be appointed to represent the defendant. The defendant shall have the right to present the testimony of witnesses and other evidence on the defendant's behalf. Relevant written statements made under oath may be admitted and considered by the court along with other evidence presented at the hearing.

(3) (A) Except as otherwise provided, if the original crime of conviction was a felony, other than a felony specified in K.S.A. 2018 Supp. 21-6804(i), and amendments thereto, and a violation is established, the court may impose the violation sanctions as provided in subsection (c)(1).

(B) Except as otherwise provided, if the original crime of conviction was a misdemeanor or a felony specified in K.S.A. 2018 Supp. 21-6804(i), and amendments thereto, and a violation is established, the court may:

(i) Continue or modify the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction and impose confinement in a county jail not to exceed 60 days. If an offender is serving multiple probation terms concurrently, any confinement periods imposed shall be imposed concurrently;

(ii) impose an intermediate sanction of confinement in a county jail, to be imposed as a two-day or three-day consecutive period. The total of all such sanctions imposed pursuant to this subparagraph and ~~subsections subsection (b)(4)(A) and (b)(4)(B)~~ shall not exceed 18 total days during the term of supervision, *except as provided in subsection (h);* or

(iii) revoke the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction and require the defendant to serve the sentence imposed, or any lesser sentence, and, if imposition of sentence was suspended, may impose any sentence ~~which that~~ might originally have been imposed.

(4) Except as otherwise provided, if the defendant waives the right to a hearing ~~and the sentencing court has not specifically withheld the authority from court services or community correctional services to impose sanctions,~~ the following sanctions may be imposed without further order of the court:

(A) If the defendant was on probation at the time of the violation, the defendant's supervising court services officer, with the concurrence of the chief court services officer, may impose an intermediate sanction of confinement in a county jail, to be imposed as a two-day or three-day

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consecutive period. The total of all such sanctions imposed pursuant to this subparagraph and subsections (b)(4)(B) and (c)(1)(B) shall not exceed 18 total days during the term of supervision, *except as provided in subsection (h)*; and

(B) if the defendant was assigned to a community correctional services program at the time of the violation, the defendant's community corrections officer, with the concurrence of the community corrections director, may impose an intermediate sanction of confinement in a county jail, to be imposed as a two-day or three-day consecutive period. The total of all such sanctions imposed pursuant to this subparagraph and subsections (b)(4)(A) and (c)(1)(B) shall not exceed 18 total days during the term of supervision, *except as provided in subsection (h)*.

(c) (1) Except as otherwise provided, if the original crime of conviction was a felony, other than a felony specified in K.S.A. 2018 Supp. 21-6804(i), and amendments thereto, and a violation is established, the court may impose the following sanctions:

(A) Continuation or modification of the release conditions of the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction;

(B) continuation or modification of the release conditions of the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction and an intermediate sanction of confinement in a county jail to be imposed as a two-day or three-day consecutive period. The total of all such sanctions imposed pursuant to this subparagraph and subsections *subsection (b)(4)(A) and (b)(4)(B)* shall not exceed 18 total days during the term of supervision, *except as provided in subsection (h)*; or

(C) if the violator already had at least one intermediate sanction imposed pursuant to subsection (b)(4)(A), (b)(4)(B) or (c)(1)(B) related to the crime for which the original supervision was imposed, continuation or modification of the release conditions of the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction and remanding the defendant to the custody of the secretary of corrections for a period of 120 days, subject to a reduction of up to 60 days in the discretion of the secretary. This sanction shall not be imposed more than once during the term of supervision. The sanction imposed pursuant to this subparagraph shall begin upon pronouncement by the court and shall not be served by prior confinement credit, *except as provided in subsection (c)(7)*;

(D) if the violator already had a sanction imposed pursuant to subsection (b)(4)(A), (b)(4)(B), (c)(1)(B) or (c)(1)(C) related to the crime for which the original supervision was imposed, continuation or modification of the release conditions of the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction and remanding the defendant to the custody of the secretary of corrections for a period of 180 days, subject to a reduction of up to 90 days in the discretion of the secretary. This sanction shall not be imposed more than once during the term of supervision. The sanction imposed pursuant to this subparagraph shall begin upon pronouncement by the court and shall not be served by prior confinement credit, *except as provided in subsection (c)(7)*; or

(E) if the violator already had a sanction imposed pursuant to subsection (c)(1)(C) or (c)(1)(D) (c)(1)(B) related to the crime for which the original supervision was imposed, revocation of the probation, assignment to a community corrections services program, suspension of sentence or nonprison sanction and requiring such violator to serve the sentence imposed, or any lesser sentence and, if imposition of sentence was suspended, imposition of any sentence ~~which~~ that might originally have been imposed.

(2) Except as otherwise provided in subsections (c)(3), ~~(c)(6)~~ and (c)(9)(7), no offender for whom a violation of conditions of release or assignment or a nonprison sanction has been established as provided in this section shall be required to serve any time for the sentence imposed or which might originally have been imposed in a state facility in the custody of the secretary of corrections for such violation, unless such person has already had at least one prior assignment to a community correctional services program related to the crime for which the original sentence was imposed.

(3) The provisions of subsection (c)(2) shall not apply to adult felony offenders as described in K.S.A. 75-5291(a)(3), and amendments thereto.

(4) The court may require an offender for whom a violation of conditions of release or assignment or a nonprison sanction has been established as provided in this section to serve any time for the sentence imposed or which might originally have been imposed in a state facility in the custody of the secretary of corrections without a prior assign-

ment to a community correctional services program if the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will be jeopardized or that the welfare of the inmate will not be served by such assignment to a community correctional services program.

(5) When a new felony is committed while the offender is on probation or assignment to a community correctional services program, the new sentence shall be imposed consecutively pursuant to the provisions of K.S.A. 2018 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

~~(6) Except as provided in subsection (f), upon completion of a violation sanction imposed pursuant to subsection (c)(1)(C) or (c)(1)(D) such offender shall return to community correctional services supervision. The sheriff shall not be responsible for the return of the offender to the county where the community correctional services supervision is assigned.~~

~~(7) A violation sanction imposed pursuant to subsection (c)(1)(B), (c)(1)(C) or (c)(1)(D) shall not be longer than the amount of time remaining on the offender's underlying prison sentence.~~

~~(8) (A) If the offender commits a new felony or misdemeanor while the offender is on probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction, the court may revoke the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction of an offender pursuant to subsection (c)(1)(E) without having previously imposed a sanction pursuant to subsection (c)(1)(B), (c)(1)(C) or (c)(1)(D).~~

~~(B) If the offender absconds from supervision while the offender is on probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction, the court may: (i) Revoke the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction of an offender pursuant to subsection (c)(1)(E) without having previously imposed a sanction pursuant to subsection (c)(1)(B), (c)(1)(C) or (c)(1)(D); or~~

~~(ii) sanction the offender under subsection (c)(1)(A), (c)(1)(C) or (c)(1)(D) without imposing a sanction under (c)(1)(B).~~

~~(9) (7) The court may revoke the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction of an offender pursuant to subsection (c)(1)(E) without having previously imposed a sanction pursuant to subsection (c)(1)(B), (c)(1)(C) or (c)(1)(D) if:~~

~~(A) The court finds and sets forth with particularity the reasons for finding that the safety of members of the public will be jeopardized or that the welfare of the offender will not be served by such sanction; or~~

~~(B) the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction was originally granted as the result of a dispositional departure granted by the sentencing court pursuant to K.S.A. 2018 Supp. 21-6815, and amendments thereto;~~

~~(C) the offender commits a new felony or misdemeanor while the offender is on probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction; or~~

~~(D) the offender absconds from supervision while the offender is on probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction.~~

~~(10) (8) If an offender is serving multiple probation terms concurrently, any violation sanctions imposed pursuant to subsection (c)(1)(B), (c)(1)(C) or (c)(1)(D), or any sanction imposed pursuant to subsection (c)(1)(9), shall be imposed concurrently.~~

~~(11) (9) If the original crime of conviction was a felony, except for violations of K.S.A. 8-1567 or 8-2,144, and amendments thereto, and the court makes a finding that the offender has committed one or more violations of the release conditions of the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction, the court may impose confinement in a county jail not to exceed 60 days upon each such finding. Such confinement is separate and distinct from the violation sanctions provided in subsection (c)(1)(B), (c)(1)(C), (c)(1)(D) and (c)(1)(E) and shall not be imposed at the same time as any such violation sanction.~~

~~(12) (10) The violation sanctions provided in this subsection shall apply to any violation of conditions of release or assignment or a nonprison sanction occurring on and after July 1, 2013, regardless of when~~

the offender was sentenced for the original crime or committed the original crime for which sentenced.

(d) A defendant who is on probation, assigned to a community correctional services program, under suspension of sentence or serving a nonprison sanction and for whose return a warrant has been issued by the court shall be considered a fugitive from justice if it is found that the warrant cannot be served. If it appears that the defendant has violated the provisions of the defendant's release or assignment or a nonprison sanction, the court shall determine whether the time from the issuing of the warrant to the date of the defendant's arrest, or any part of it, shall be counted as time served on probation, assignment to a community correctional services program, suspended sentence or pursuant to a nonprison sanction.

(e) The court shall have 30 days following the date probation, assignment to a community correctional service program, suspension of sentence or a nonprison sanction was to end to issue a warrant for the arrest or notice to appear for the defendant to answer a charge of a violation of the conditions of probation, assignment to a community correctional service program, suspension of sentence or a nonprison sanction.

(f) For crimes committed on and after July 1, 2013, a felony offender whose nonprison sanction is revoked pursuant to subsection (c) or whose underlying prison term expires while serving a sanction pursuant to subsection (c)(1)(C) or (c)(1)(D) shall serve a period of postrelease supervision upon the completion of the prison portion of the underlying sentence.

(g) Offenders who have been sentenced pursuant to K.S.A. 2018 Supp. 21-6824, and amendments thereto, and who subsequently violate a condition of the drug and alcohol abuse treatment program shall be subject to an additional nonprison sanction for any such subsequent violation. Such nonprison sanctions shall include, but not be limited to, up to 60 days in a county jail, fines, community service, intensified treatment, house arrest and electronic monitoring.

(h) If the court continues or modifies the probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction, pursuant to subsection (b) or (c), the court shall authorize an additional 18 days of sanction time in a county jail to be reserved for sanctions as set forth in subsection (b)(3), (b)(4) or (c)(1).

Sec. 11. On and after July 1, 2019, K.S.A. 2018 Supp. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and 21-4642, prior to their repeal; K.S.A. 2018 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2018 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 2018 Supp. 21-6617, and amendments thereto, shall not be eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2018 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in K.S.A. 2018 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2018 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1,

1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2018 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2018 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2018 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2018 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, committed on or after July 1, 1993, but prior to July 1, 2006, a sexually motivated crime in which the offender has been ordered to register pursuant to K.S.A. 22-3717(d)(1)(D)(vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2018 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2018 Supp. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C), plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2018 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2018 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

(a) Written briefs or oral arguments submitted by either the defendant or the state;

(continued)

(b) any evidence received during the proceeding;
 (c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to K.S.A. 21-4714(e), prior to its repeal, or K.S.A. 2018 Supp. 21-6813(e), and amendments thereto; and

(d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2018 Supp. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 2018 Supp. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2018 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on post-release supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) (i) Except as provided in subsection (u), persons sentenced to imprisonment for a sexually violent crime committed on or after July 1, 2006, when the offender was 18 years of age or older, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(ii) Persons sentenced to imprisonment for a sexually violent crime committed on or after the effective date of this act, when the offender was under 18 years of age, and who are released from prison, shall be released to a mandatory period of postrelease supervision for 60 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2018 Supp. 21-6821, and amendments thereto.

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(~~4~~)(C) or (c)(~~4~~)(D), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2018 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or K.S.A. 2018 Supp. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or K.S.A. 2018 Supp. 21-5506(b), and amendments thereto;

(D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2018 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or K.S.A. 2018 Supp. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or K.S.A. 2018 Supp. 21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or K.S.A. 2018 Supp. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2018 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or K.S.A. 2018 Supp. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A. 2018 Supp. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2018 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) internet trading in child pornography, as defined in K.S.A. 2018 Supp. 21-5514(a), and amendments thereto;

(M) aggravated internet trading in child pornography, as defined in K.S.A. 2018 Supp. 21-5514(b), and amendments thereto;

(N) commercial sexual exploitation of a child, as defined in K.S.A. 2018 Supp. 21-6422, and amendments thereto; or

(O) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2018 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "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) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on post-release supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further

program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which *that* would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental

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agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances ~~which that~~ would render payment unworkable;

(5) unless it finds compelling circumstances ~~which that~~ would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court ~~which that~~ sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances ~~which that~~ would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life-threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions ~~which that~~ result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2018 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to K.S.A. 2018 Supp. 21-6604(r), and amendments thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2018 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.

Sec. 12. On and after July 1, 2019, K.S.A. 2018 Supp. 22-2307 is hereby amended to read as follows: 22-2307. (a) All law enforcement agencies in this state shall adopt written policies regarding domestic violence calls as provided in ~~subsection subsections~~ (b) and (c). These policies shall be made available to all officers of such agency.

(b) Such written policies shall include, but not be limited to, the following:

(1) A statement directing that when a law enforcement officer determines that there is probable cause to believe that a crime or offense involving domestic violence, as defined in K.S.A. 2018 Supp. 21-5111, and amendments thereto, has been committed, the officer shall, without undue delay, arrest the person for which the officer has probable cause to believe committed the crime or offense if such person's actions were not an act of defense of a person or property as provided in K.S.A. 2018 Supp. 21-5222, 21-5223, 21-5225, 21-5230 or 21-5231, and amendments thereto;

(2) a statement that nothing shall be construed to require a law enforcement officer to:

(A) Arrest either party involved in an alleged act of domestic violence when the law enforcement officer determines there is no probable cause to believe that a crime or offense has been committed; or

(B) arrest both parties involved in an alleged act of domestic violence when both claim to have been victims of such domestic violence;

(3) a statement directing that if a law enforcement officer receives complaints of domestic violence from two or more opposing persons, the officer shall evaluate each complaint separately to determine if there is probable cause that each accused person committed a crime or offense and their actions were not an act of defense of a person or property as provided in K.S.A. 2018 Supp. 21-5222, 21-5223, 21-5225, 21-5230 or 21-5231, and amendments thereto;

(4) a statement defining domestic violence in accordance with K.S.A. 2018 Supp. 21-5111, and amendments thereto;

(5) a statement describing the dispatchers' responsibilities;

(6) a statement describing the responding officers' responsibilities and procedures to follow when responding to a domestic violence call and the suspect is at the scene;

(7) a statement regarding procedures when the suspect has left the scene of the crime;

(8) procedures for both misdemeanor and felony cases;

(9) procedures for law enforcement officers to follow when handling domestic violence calls involving court orders, including protection from abuse orders, restraining orders and a protective order issued by a court of any state or Indian tribe;

(10) a statement that the law enforcement agency shall provide the following information to victims, in writing:

(A) Availability of emergency and medical telephone numbers, if needed;

(B) the law enforcement agency's report number;

(C) the address and telephone number of the prosecutor's office the victim should contact to obtain information about victims' rights pursuant to K.S.A. 74-7333 and 74-7335, and amendments thereto;

(D) the name and address of the crime victims' compensation board and information about possible compensation benefits;

(E) advise the victim that the details of the crime may be made public;

(F) advise the victim of such victims' rights under K.S.A. 74-7333 and 74-7335, and amendments thereto; and

(G) advise the victim of known available resources which may assist the victim; and

(11) whether an arrest is made or not, a standard offense report shall be completed on all such incidents and sent to the Kansas bureau of investigation.

(c) *Such written policies shall provide that when an arrest is made for a domestic violence offense as defined in K.S.A. 2018 Supp. 21-5111, and amendments thereto, including an arrest for violation of a protection order as defined in K.S.A. 2018 Supp. 21-5924, and amendments thereto, the officer shall provide the victim information related to:*

(A) *The fact that in some cases the person arrested can be released from custody in a short amount of time;*

(B) *the fact that in some cases a bond condition may be imposed on the person arrested that prohibits contact with the victim for 72 hours, and that if the person arrested contacts the victim during that time, the victim should notify law enforcement immediately; and*

(C) *any available services within the jurisdiction to monitor custody changes of the person being arrested, including, but not limited to, the Kansas victim information and notification everyday service if available in such jurisdiction.*

(d) *All law enforcement agencies shall provide training to law enforcement officers about the policies adopted pursuant to this section.*

Sec. 13. K.S.A. 2018 Supp. 21-6811 is hereby amended to read as follows: 21-6811. In addition to the provisions of K.S.A. 2018 Supp. 21-6810, and amendments thereto, the following shall apply in determining an offender's criminal history classification as contained in the presumptive sentencing guidelines grids:

(a) Every three prior adult convictions or juvenile adjudications of class A and class B person misdemeanors in the offender's criminal history, or any combination thereof, shall be rated as one adult conviction or one juvenile adjudication of a person felony for criminal history purposes. Every three prior adult convictions or juvenile adjudications of assault as defined in K.S.A. 21-3408, prior to its repeal, or K.S.A. 2018 Supp. 21-5412(a), and amendments thereto, occurring within a period commencing three years prior to the date of conviction for the current crime of conviction shall be rated as one adult conviction or one juvenile adjudication of a person felony for criminal history purposes.

(b) A conviction of criminal possession of a firearm as defined in K.S.A. 21-4204(a)(1) or (a)(5), prior to its repeal, criminal use of weapons as defined in K.S.A. 2018 Supp. 21-6301(a)(10) or (a)(11), and amendments thereto, or unlawful possession of a firearm as in effect on June 30, 2005, and as defined in K.S.A. 21-4218, prior to its repeal, will be scored as a select class B nonperson misdemeanor conviction or adjudication and shall not be scored as a person misdemeanor for criminal history purposes.

(c) (1) If the current crime of conviction was committed before July 1, 1996, and is for K.S.A. 21-3404(b), as in effect on June 30, 1996, involuntary manslaughter in the commission of driving under the influence, then, each prior adult conviction or juvenile adjudication for K.S.A. 8-1567, and amendments thereto, shall count as one person felony for criminal history purposes.

(2) If the current crime of conviction was committed on or after July 1, 1996, and is for a violation of K.S.A. 2018 Supp. 21-5405(a)(3) or (a)(5), and amendments thereto, each prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for: (A) Any act described in K.S.A. 8-2,144 or 8-1567, and amendments thereto; or (B) a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits any act described in K.S.A. 8-2,144 or 8-1567, and amendments thereto, shall count as one person felony for criminal history purposes.

(3) If the current crime of conviction is for a violation of K.S.A. 2018 Supp. 21-5413(b)(3) or (b)(4), and amendments thereto:

(A) The first prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for the following shall count as one nonperson felony for criminal history purposes: (i) Any act described in K.S.A. 8-2,144 or 8-1567, and amendments thereto; or (ii) a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits any act described in K.S.A. 8-2,144 or 8-1567, and amendments thereto; and

(B) each second or subsequent prior adult conviction, diversion in lieu of criminal prosecution or juvenile adjudication for the following shall count as one person felony for criminal history purposes: (i) Any act described in K.S.A. 8-2,144 or 8-1567, and amendments thereto; or (ii) a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits any act described in K.S.A. 8-2,144 or 8-1567, and amendments thereto.

(d) Prior burglary adult convictions and juvenile adjudications will be scored for criminal history purposes as follows:

(1) As a prior person felony if the prior conviction or adjudication was classified as a burglary as defined in K.S.A. 21-3715(a), prior to its repeal, or K.S.A. 2018 Supp. 21-5807(a)(1), and amendments thereto.

(2) As a prior nonperson felony if the prior conviction or adjudication was classified as a burglary as defined in K.S.A. 21-3715(b) or (c), prior to its repeal, or K.S.A. 2018 Supp. 21-5807(a)(2) or (a)(3), and amendments thereto.

The facts required to classify prior burglary adult convictions and juvenile adjudications shall be established by the state by a preponderance of the evidence.

(e) (1) Out-of-state convictions and juvenile adjudications shall be used in classifying the offender's criminal history.

(2) An out-of-state crime will be classified as either a felony or a misdemeanor according to the convicting jurisdiction.

(A) If a crime is a felony in the convicting jurisdiction, it will be counted as a felony in Kansas.

(B) If a crime is a misdemeanor in the convicting jurisdiction, the state of Kansas shall refer to the comparable offense under the Kansas criminal code in effect on the date the current crime of conviction was committed to classify the out-of-state crime as a class A, B or C misdemeanor. If the comparable offense in the state of Kansas is a felony, the out-of-state crime shall be classified as a class A misdemeanor. If the state of Kansas does not have a comparable offense in effect on the date the current crime of conviction was committed, the out-of-state crime shall not be used in classifying the offender's criminal history.

(C) If a crime is not classified as either a felony or a misdemeanor in the convicting jurisdiction, the state of Kansas shall refer to the comparable offense under the Kansas criminal code in effect on the date the current crime of conviction was committed to classify the out-of-state crime as either a felony or a misdemeanor. If the state of Kansas does not have a comparable offense in effect on the date the current crime of conviction was committed, the out-of-state crime shall not be used in classifying the offender's criminal history.

(3) The state of Kansas shall classify the crime as person or non-person.

(A) In designating a ~~crime~~ misdemeanor as person or nonperson, comparable offenses under the Kansas criminal code in effect on the date the current crime of conviction was committed shall be referred to. If the state of Kansas does not have a comparable person offense in effect on the date the current crime of conviction was committed, the out-of-state crime shall be classified as a nonperson crime.

(B) *In designating a felony crime as person or nonperson, the felony crime shall be classified as follows:*

(i) *An out-of-state conviction or adjudication for the commission of a felony offense, or an attempt, conspiracy or criminal solicitation to commit a felony offense, shall be classified as a person felony if one or more of the following circumstances is present as defined by the convicting jurisdiction in the elements of the out-of-state offense:*

(continued)

- (a) Death or killing of any human being;
- (b) threatening or causing fear of bodily or physical harm or violence, causing terror, physically intimidating or harassing any person;
- (c) bodily harm or injury, physical neglect or abuse, restraint, confinement or touching of any person, without regard to degree;
- (d) the presence of a person, other than the defendant, a charged accomplice or another person with whom the defendant is engaged in the sale, distribution or transfer of a controlled substance or non-controlled substance;
- (e) possessing, viewing, depicting, distributing, recording or transmitting an image of any person;
- (f) lewd fondling or touching, sexual intercourse or sodomy with or by any person or an unlawful sexual act involving a child under the age of consent;
- (g) being armed with, using, displaying or brandishing a firearm or other weapon, excluding crimes of mere unlawful possession; or
- (h) entering or remaining within any residence, dwelling or habitation.
- (ii) An out-of-state conviction or adjudication for the commission of a felony offense, or an attempt, conspiracy or criminal solicitation to commit a felony offense, shall be classified as a person felony if the elements of the out-of-state felony offense that resulted in the conviction or adjudication necessarily prove that a person was present during the commission of the offense. For purposes of this clause, the person present must be someone other than the defendant, a charged accomplice or another person with whom the defendant is engaged in the sale, distribution or transfer of a controlled substance or non-controlled substance. The presence of a person includes physical presence and presence by electronic or telephonic communication.
- (iii) An out-of-state conviction or adjudication for the commission of a felony offense, or an attempt, conspiracy or criminal solicitation to commit a felony offense, shall be classified as a nonperson felony if the elements of the offense do not require proof of any of the circumstances in subparagraph (B)(i) or (ii).

(4) Convictions or adjudications occurring within the federal system, other state systems, the District of Columbia, foreign, tribal or military courts are considered out-of-state convictions or adjudications.

(5) The facts required to classify out-of-state adult convictions and juvenile adjudications shall be established by the state by a preponderance of the evidence.

(f) Except as provided in K.S.A. 21-4710(d)(4), (d)(5) and (d)(6), prior to its repeal, or K.S.A. 2018 Supp. 21-6810(d)(3)(B), (d)(3)(C), (d)(3)(D), (d)(4) and (d)(5), and amendments thereto, juvenile adjudications will be applied in the same manner as adult convictions. Out-of-state juvenile adjudications will be treated as juvenile adjudications in Kansas.

(g) A prior felony conviction of an attempt, a conspiracy or a solicitation as provided in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2018 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, to commit a crime shall be treated as a person or nonperson crime in accordance with the designation assigned to the underlying crime.

(h) Drug crimes are designated as nonperson crimes for criminal history scoring.

(i) If the current crime of conviction is for a violation of K.S.A. 8-1602(b)(3) through (b)(5), and amendments thereto, each of the following prior convictions for offenses committed on or after July 1, 2011, shall count as a person felony for criminal history purposes: K.S.A. 8-235, 8-262, 8-287, 8-291, 8-1566, 8-1567, 8-1568, 8-1602, 8-1605 and 40-3104, and amendments thereto, and K.S.A. 2018 Supp. 21-5405(a)(3) or (a)(5) and 21-5406, and amendments thereto, or a violation of a city ordinance or law of another state which would also constitute a violation of such sections.

(j) The amendments made to this section by chapter 5 of the 2015 Session Laws of Kansas are procedural in nature and shall be construed and applied retroactively.

Sec. 14. K.S.A. 2018 Supp. 21-6820 is hereby amended to read as follows: 21-6820. (a) A departure sentence is subject to appeal by the defendant or the state. The appeal shall be to the appellate courts in accordance with rules adopted by the supreme court.

(b) Pending review of the sentence, the sentencing court or the appellate court may order the defendant confined or placed on conditional release, including bond.

(c) On appeal from a judgment or of conviction entered for a felony committed on or after July 1, 1993, the appellate court shall not review:

(1) Any sentence that is within the presumptive sentence for the crime; or

(2) any sentence resulting from an agreement between the state and the defendant which the sentencing court approves on the record.

(d) In any appeal from a judgment of conviction imposing a sentence that departs from the presumptive sentence prescribed by the sentencing grid for a crime, sentence review shall be limited to whether the sentencing court's findings of fact and reasons justifying a departure:

(1) Are supported by the evidence in the record; and

(2) constitute substantial and compelling reasons for departure.

(e) In any appeal from a judgment of conviction, the appellate court may review a claim that:

(1) A sentence that departs from the presumptive sentence resulted from partiality, prejudice, oppression or corrupt motive;

(2) the sentencing court erred in either including or excluding recognition of a prior conviction or juvenile adjudication for criminal history scoring purposes; or

(3) the sentencing court erred in ranking the crime severity level of the current crime or in determining the appropriate classification of a prior conviction or juvenile adjudication for criminal history purposes.

(f) The appellate court may reverse or affirm the sentence. If the appellate court concludes that the trial court's factual findings are not supported by evidence in the record or do not establish substantial and compelling reasons for a departure, it shall remand the case to the trial court for resentencing.

(g) The appellate court shall issue a written opinion whenever the judgment of the sentencing court is reversed. The court may issue a written opinion in any other case when it is believed that a written opinion will provide guidance to sentencing judges and others in implementing the sentencing guidelines adopted by the Kansas sentencing commission. The appellate courts may provide by rule for summary disposition of cases arising under this section when no substantial question is presented by the appeal.

(h) A review under summary disposition shall be made solely upon the record that was before the sentencing court. Written briefs shall not be required unless ordered by the appellate court and the review and decision shall be made in an expedited manner according to rules adopted by the supreme court.

(i) The sentencing court shall retain authority irrespective of any notice of appeal for 90 days after entry of judgment of conviction to modify its judgment and sentence to correct any arithmetic or clerical errors.

(j) The amendments made to this section by this act are procedural in nature and shall be construed and applied retroactively.

Sec. 15. K.S.A. 2018 Supp. 22-3504 is hereby amended to read as follows: 22-3504. ~~(a)~~ The court may correct an illegal sentence at any time while the defendant is serving such sentence. The defendant shall receive full credit for time spent in custody under the sentence prior to correction. Unless the motion and the files and records of the case conclusively show that the defendant is entitled to no relief, the defendant shall have a right to a hearing, after reasonable notice to be fixed by the court, to be personally present and to have the assistance of counsel in any proceeding for the correction of an illegal sentence.

~~(2)(b)~~ Clerical mistakes in judgments, orders or other parts of the record and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court orders.

~~(3)(c)~~ For the purposes of this section:

(1) "Illegal sentence" means a sentence: Imposed by a court without jurisdiction; that does not conform to the applicable statutory provision, either in character or punishment; or that is ambiguous with respect to the time and manner in which it is to be served at the time it is pronounced. A sentence is not an "illegal sentence" because of a change in the law that occurs after the sentence is pronounced.

(2) "Change in the law" means a statutory change or an opinion by an appellate court of the state of Kansas, unless the opinion is issued while the sentence is pending an appeal from the judgment of conviction.

(d) The amendments made to this section by this act are procedural in nature and shall be construed and applied retroactively.

New Sec. 16. If the amendments made to K.S.A. 2018 Supp. 21-6811, 21-6820 and 22-3504 are, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the amendments made to K.S.A. 2018 Supp. 21-6811, 21-6820 and 22-3504 that can be given effect without the invalid provision or provisions or application, and to this end the amendments made to K.S.A. 2018 Supp. 21-6811, 21-6820 and 22-3504 are severable.

Sec. 17. K.S.A. 2018 Supp. 21-6811, 21-6811c, 21-6820 and 22-3504 are hereby repealed.

Sec. 18. On and after July 1, 2019, K.S.A. 22-2906 and K.S.A. 2018 Supp. 21-5405, 21-5602, 21-5840, 21-6604, 21-6813, 21-6815, 21-6824, 22-2307, 22-2909, 22-3716 and 22-3717 are hereby repealed.

Sec. 19. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-3557. “\$100,000 Crossword” instant ticket lottery game number 106. (a) The Kansas Lottery shall conduct an instant winner lottery game entitled “\$100,000 Crossword.” The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3557.

(b) The “play symbols” for this game are as follows:

Doubler Puzzle Play Symbols: A–B–C–D–E–F–G–H–I–J–K–L–M–N–O–P–Q–R–S–T–U–V–W–X–Y–Z—symbol of a money bag.

Mega Puzzle Play Symbols: A–B–C–D–E–F–G–H–I–J–K–L–M–N–O–P–Q–R–S–T–U–V–W–X–Y–Z.

Bonus Word Play Symbols: A–B–C–D–E–F–G–H–I–J–K–L–M–N–O–P–Q–R–S–T–U–V–W–X–Y–Z.

Your Letters Play Symbols: A–B–C–D–E–F–G–H–I–J–K–L–M–N–O–P–Q–R–S–T–U–V–W–X–Y–Z.

There are no “play symbol captions” in this game puzzle.

(c) The “\$100,000 Crossword” ticket features four separate play areas, “YOUR LETTERS,” “DOUBLER PUZZLE,” “MEGA PUZZLE,” and a “BONUS WORD.”

In the “CROSSWORD” games, the player will scratch the “YOUR LETTERS” play area to reveal 20 “YOUR LETTERS.” Each “YOUR LETTER” may be used in both crossword puzzles, (“DOUBLER PUZZLE” and “MEGA PUZZLE”) and the “BONUS WORD.” A player matches the corresponding letters in both crossword puzzles and the “BONUS WORD” by removing the translucent scratch-off material covering the matching letter. A player wins according to the prize legend associated with each puzzle. Each puzzle plays separately.

In the “DOUBLER PUZZLE,” if the player scratches three or more completed words, the player wins the corresponding prize in the prize legend. If one of the winning combinations shown in the prize legend has a completed word with a “MONEY BAG” symbol, the player wins double the prize amount shown in the prize legend. Only the highest corresponding prize can be won. A player can win up to one time on this puzzle.

In the “MEGA PUZZLE,” if the player scratches five or more completed words, the player wins the corresponding prize in the prize legend. Only the highest corresponding prize can be won. A player can win up to one time on this puzzle.

In the “BONUS WORD” play area, if the player completely uncovers the “BONUS WORD” using “YOUR LETTERS,” the player wins \$15 instantly.

(d) For this game, a play symbol shall appear in each of 20 play spots within the “YOUR LETTERS” play area, in each of five play spots within the “BONUS WORD” play area, and a variable number of times within the crossword puzzle grids.

(e) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(f) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(g) Each ticket in this game may win up to three times.

(h) Approximately 600,030 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 200,010 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

Puzzle 1	Puzzle 2	Bonus Word	Prize	Winners Per 600,030	Prize Cost
3 words			\$10	44,001	\$440,010
	5 words		\$10	44,001	\$440,010
		\$15	\$15	42,000	\$630,000
4 words			\$20	9,999	\$199,980
3 words (dbl)			\$20	9,999	\$199,980
3 words	5 words		\$20	10,005	\$200,100
5 words			\$25	6,000	\$150,000
	6 words		\$25	6,000	\$150,000
3 words	5 words	\$15	\$25	6,000	\$150,000
		\$15	\$25	6,000	\$150,000
6 words			\$50	990	\$49,500
4 words (dbl)	5 words		\$50	990	\$49,500
5 words (dbl)			\$50	1,008	\$50,400
	7 words		\$50	1,008	\$50,400
5 words	6 words		\$50	1,005	\$50,250
3 words	6 words	\$15	\$50	900	\$45,000
5 words	5 words	\$15	\$50	900	\$45,000
7 words			\$75	450	\$33,750
	8 words		\$75	450	\$33,750
6 words	6 words		\$75	450	\$33,750
5 words	7 words		\$75	450	\$33,750
8 words			\$100	258	\$25,800
6 words (dbl)			\$100	258	\$25,800
	9 words		\$100	258	\$25,800
6 words	7 words		\$100	258	\$25,800
3 words	8 words	\$15	\$100	258	\$25,800
	10 words		\$200	210	\$42,000
7 words (dbl)	7 words		\$200	195	\$39,000
8 words (dbl)			\$200	195	\$39,000
9 words			\$500	120	\$60,000
	11 words		\$500	120	\$60,000
9 words (dbl)			\$1,000	30	\$30,000
	12 words		\$1,000	27	\$27,000
9 words	11 words		\$1,000	27	\$27,000
	13 words		\$10,000	6	\$60,000
	14 words		\$100,000	5	\$500,000
Players Loyalty Program	\$41,981		\$41,981		
			TOTAL	194,831	\$4,240,111

dbl - denotes “Money Bag” doubler feature

(continued)

(j) The odds of winning a prize in this game are approximately one in 3.08. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and 74-8720; effective, T-111-4-24-19, March 13, 2019.)

111-4-3558. "Ultimate Riches" instant ticket lottery game number 136. (a) The Kansas Lottery may conduct an instant winner lottery game entitled "Ultimate Riches." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3558.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
01	ONE
03	THR
04	FOR
06	SIX
07	SEV
08	EGT
09	NIN
11	ELVN
12	TWLV
13	THRN
14	FRTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGTN
19	NINTN
20	TWNTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
29	TWYNIN
30	THRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
35	THRFIN
36	THRSIX
37	THRSEV
38	THREGT
39	THRNIN
40	FORTY
41	FRYONE
42	FRYTWO
43	FRYTHR
44	FRYFOR
45	FRYFIV
46	FRYSIX
47	FRYSEV
48	FRYEGT

49	FRYNIN
50	FIFTY
51	FTYONE
52	FTYTWO
53	FTYTHR
54	FTYFOR
55	FTYFIV
56	FTYSIX
57	FTYSEV
58	FTYEGT
2X	2TIMES
5X	5TIMES
10X	10TIMES

Prize Symbols	Captions
FREE	TICKET
20 ^{.00}	TWENTY
40 ^{.00}	FORTY
50 ^{.00}	FIFTY
\$100	ONE-HUN
\$200	TWO-HUN
\$500	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU
\$100000	100-THOU

Play Symbols – Diamond Bonus (3 spots)	Captions
\$20	WIN\$20
\$50	WIN\$50
\$100	WIN\$100
Symbol of a necklace	NKLACE
Symbol of a bell	BELL
Symbol of a pot of gold	POTGOLD
Symbol of a clover	CLOVER
Symbol of a horseshoe	HRSHOE
Symbol of an apple	APPLE
Symbol of a crown	CROWN
Symbol of a flower	FLOWER
Symbol of a lemon	LEMON

(c) For this game, a play/prize symbol shall appear in 69 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 014.

(e) The price of instant tickets sold by a retailer for this game shall be \$20.00 each.

(f) "Ultimate Riches" is a key number match game with an instant reveal, three bonus areas, and multiplier feature. The player will scratch the play area to reveal six "WINNING NUMBERS" and 30 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown below that number. If a player reveals a "2X" symbol, the player wins two times the prize amount shown. If a player reveals a "5X" symbol, the player wins five times the prize amount shown. If a

player reveals a "10X" symbol, the player wins 10 times the prize amount shown. The ticket will also have three bonus play areas. The player will scratch the diamond "BONUS" play areas and if the player reveals one or more prize amount(s), the player automatically wins the amount(s) shown.

(g) Each ticket in this game may win up to 33 times.

(h) Approximately 275,010 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 275,010 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Winners Per 275,010	Prize Cost
Free Ticket	Free Ticket	30,000	\$0
\$20	\$20	20,000	\$400,000
\$40	\$40	7,500	\$300,000
\$20 (2X)	\$40	7,500	\$300,000
\$20 x 2	\$40	7,500	\$300,000
\$50	\$50	19,600	\$980,000
\$100	\$100	1,205	\$120,500
\$20 (5X)	\$100	450	\$45,000
\$50 (2X)	\$100	400	\$40,000
50 x 2	\$100	400	\$40,000
\$20 x 5	\$100	390	\$39,000
\$200	\$200	200	\$40,000
(\$40 x 4) + \$20 (2X)	\$200	240	\$48,000
\$100 x 2	\$200	240	\$48,000
\$20 (10X)	\$200	300	\$60,000
\$500	\$500	100	\$50,000
\$100 (5X)	\$500	100	\$50,000
\$20 (10X) + (\$50 x 4) + \$100	\$500	100	\$50,000
\$50 x 10	\$500	100	\$50,000
\$1,000	\$1,000	15	\$15,000
\$500 (2X)	\$1,000	25	\$25,000
\$50 (10X) + (\$40 x 5) + (\$20 x 10) + (\$50 x 2)	\$1,000	25	\$25,000
(\$20 x 22) + (\$40 x 4) + (\$50 x 4) + (\$100 x 2)	\$1,000	25	\$25,000
\$10,000	\$10,000	4	\$40,000
(\$20 x 5) + (\$50 x 2) + (\$100 x 7) + (\$200 x 8) + (\$500 x 7) + (\$1,000 x 4)	\$10,000	5	\$50,000
\$500 x 20	\$10,000	5	\$50,000
\$100,000	\$100,000	3	\$300,000
Players Loyalty Program		1	\$37,484
	TOTAL	96,433	\$3,527,984

(j) The odds of winning a prize in this game are approximately one in 2.85. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and 74-8720; effective, T-111-4-24-19, March 13, 2019.)

111-4-3559. "Bingo Times 10 Bonus" instant ticket lottery game number 134. (a) The Kansas Lottery shall conduct an instant winner lottery game entitled "Bingo Times 10 Bonus." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3559.

(b) The "play/game symbols" for the 25 play spots within each of the four (4) "BINGO CARD" play areas for this game are as follows:

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FREE	X10			

In the "CALLER'S CARD" play area, a letter/number combination play/game symbol appears in each of the 24 play spots. "Play symbols" for the "CALLER'S CARD" play areas for this instant game are the following:

B01	I16	N31	G46	O61
B02	I17	N32	G47	O62
B03	I18	N33	G48	O63
B04	I19	N34	G49	O64
B05	I20	N35	G50	O65
B06	I21	N36	G51	O66
B07	I22	N37	G52	O67
B08	I23	N38	G53	O68
B09	I24	N39	G54	O69
B10	I25	N40	G55	O70
B11	I26	N41	G56	O71
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	O75

In the \$10 bonus play area, the play symbols/captions are as follows:

Symbol of a star	STAR
Symbol of a horseshoe	HRSHOE
Symbol of a cookie	COOKIE
Symbol of a cherry	CHRY
Symbol of a bell	BELL
Symbol of a key	KEY
Symbol of a banana	BNNA
Symbol of a grape	GRPE
Symbol of a gold bar	GLDBAR
Symbol of a wishbone	BONE
Symbol of a crown	CROWN
Symbol of a heart	HEART
Symbol of a diamond	DIMND
Symbol of a stack of money	WIN\$10

(c) For this game, a play/prize symbol shall appear in 125 play spots within the play areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Bingo Times 10 Bonus" is a bingo style game with a bonus game and multiplier feature. The first part consists of the "CALLER'S CARD". The second part consists of four (4) "GAME CARDS". "CARD 1" will contain 24 numbers, and a "FREE" space in the center, for a total
(continued)

of 25 squares. "CARD 2" through "CARD 4" will contain 23 numbers, a "FREE" space in the center, and a random "X10" multiplier space, for a total of 25 squares on each card. In the column headings of each "GAME CARD" will appear the letters "B", "I", "N", "G" or "O". Each "GAME CARD" has a corresponding prize legend shown above each "GAME CARD." The third part consists of one "\$10" bonus play area with one play symbol.

A player will remove the scratch-off material from the areas on the ticket indicated by the words "CALLER'S CARD" to reveal a total of 24 letter/number combinations. A player matches the "CALLER'S CARD" to the column heading letter and number combinations on the four (4) "GAME CARDS" and removes the translucent material over the matched number on the "GAME CARD." If using any combination of play symbols and/or the "FREE" space a player matches all the play symbols in a "GAME CARD" to complete a diagonal, vertical, or horizontal straight line covering the five play spots, four corners of the grid, or an "X" pattern, the player wins the prize according to the prize legend shown above the respective "GAME CARD," except that if the winning combination also contains an "X10" symbol the player wins 10 times the prize amount. The player will remove the scratch-off material from the "\$10" bonus play area and if the player reveals a symbol of a stack of money, the player automatically wins \$10.

(g) Each ticket in this game may win up to 5 times. Only the highest prize won on each "GAME CARD" will be awarded.

(h) Approximately 2,400,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prizes	Number of Prizes In Game	Expected Value In Game
Line Card 1	Free Ticket	320,000	\$0
4 Corners Card 1	\$5	48,000	\$240,000
Line Card 2	\$5	48,000	\$240,000
4 Corners Card 1 + Line Card 2	\$10	16,000	\$160,000
Line Card 3	\$10	16,000	\$160,000
\$10 Bonus	\$10	16,000	\$160,000
Line Card 2 + \$10 Bonus	\$15	16,000	\$240,000
Line Card 4	\$20	4,000	\$80,000
4 Corners Card 1 + Line Card 2 + Line Card 3	\$20	4,000	\$80,000
4 Corners Card 2	\$20	4,000	\$80,000
4 Corners Card 1 + Line Card 2 + \$10 Bonus	\$20	4,000	\$80,000
Line Card 4 + \$10 Bonus	\$30	5,350	\$160,500
4 Corners Card 1 + Line Card 2 + Line Card 3 + \$10 Bonus	\$30	5,300	\$159,000
4 Corners Card 2 + \$10 Bonus	\$30	5,350	\$160,500
Line Card 2 (10X)	\$50	2,500	\$125,000
4 Corners Card 3	\$50	1,000	\$50,000
4 Corners Card 1 + Line Card 2 + Line Card 3 + Line Card 4 + \$10 Bonus	\$50	2,000	\$100,000
Line Card 3 (10X)	\$100	400	\$40,000

Line Card 2 (10X) + 4 Corners Card 3	\$100	400	\$40,000
X Card 1	\$100	200	\$20,000
4 Corners Card 4	\$100	200	\$20,000
Line Card 4 (10X)	\$200	150	\$30,000
X Card 2	\$500	50	\$25,000
X Card 3	\$1,000	20	\$20,000
X Card 4	\$10,000	9	\$90,000
Player Loyalty Program			\$25,700

TOTAL 518,929 \$2,585,700

(j) The odds of winning a prize in this game are approximately one in 4.62. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and 74-8720; effective, T-111-4-24-19, March 13, 2019.)

111-4-3560. "Bingo Times 20 Bonus" instant ticket lottery game number 135. (a) The Kansas Lottery shall conduct an instant winner lottery game entitled "Bingo Times 20 Bonus." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3560.

(b) The "play/game symbols" for the 25 play spots within each of the six (6) "BINGO CARD" play areas for this game are as follows:

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FREE	X20			

In the "CALLER'S CARD" play area a letter/number combination play/game symbol appears in each of the 24 play spots. In the "5 BONUS NUMBERS" play area a letter/number combination play/game symbol appears in each of the five (5) play spots. "Play symbols" for the "CALLER'S CARD" and the "5 BONUS NUMBERS" play areas for this instant game are the following:

B01	I16	N31	G46	O61
B02	I17	N32	G47	O62
B03	I18	N33	G48	O63
B04	I19	N34	G49	O64
B05	I20	N35	G50	O65
B06	I21	N36	G51	O66
B07	I22	N37	G52	O67
B08	I23	N38	G53	O68
B09	I24	N39	G54	O69
B10	I25	N40	G55	O70
B11	I26	N41	G56	O71
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	O75

In the "\$20" bonus play area, the play symbols/captions are as follows:

Symbol of a star	STAR
Symbol of a horseshoe	HRSHOE

Symbol of a cookie	COOKIE
Symbol of a cherry	CHRY
Symbol of a bell	BELL
Symbol of a key	KEY
Symbol of a banana	BNNA
Symbol of a grape	GRPE
Symbol of a gold bar	GLDBAR
Symbol of a wishbone	BONE
Symbol of a crown	CROWN
Symbol of a heart	HEART
Symbol of a diamond	DIMND
Symbol of a stack of money	WIN\$20

(c) For this game, a play/prize symbol shall appear in 180 play spots within the play areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(f) "Bingo Times 20 Bonus" is a bingo style game with a bonus game and multiplier feature. The first part consists of the "CALLER'S CARD" and "5 BONUS NUMBERS". The second part consists of six (6) "GAME CARDS". "CARD 1" will contain 24 numbers, and a "FREE" space in the center, for a total of 25 squares. "CARD 2" through "CARD 6" will contain 23 numbers, a "FREE" space in the center, and a random "X20" multiplier space, for a total of 25 squares on each card. In the column headings of each "GAME CARD" will appear the letters "B", "I", "N", "G" or "O". Each "GAME CARD" has a corresponding prize legend shown above each "GAME CARD." The third part consists of one "\$20" bonus play area with one play symbol.

A player will remove the scratch-off material from the areas on the ticket indicated by the words "CALLER'S CARD" and "5 BONUS NUMBERS" to reveal a total of 29 letter/number combinations. A player matches the "CALLER'S CARD" and the "5 BONUS NUMBERS" numbers to the column heading letter and number combinations on the six (6) "GAME CARDS" and removes the translucent material over the matched number on the "GAME CARD." If using any combination of play symbols and/or the "FREE" space a player matches all the play symbols in a "GAME CARD" to complete a diagonal, vertical, or horizontal straight line covering the five play spots, four corners of the grid, or an "X" pattern, the player wins the prize according to the prize legend shown above the respective "GAME CARD," except that if the winning combination also contains an "X20" symbol the player wins 20 times the prize amount. The player will remove the scratch-off material from the "\$20" bonus play area and if the player reveals a symbol of a stack of money, the player automatically wins \$20.

(g) Each ticket in this game may win up to 7 times. Only the highest prize won on each "GAME CARD" will be awarded.

(h) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value In Game
LINE Card 1	Free Ticket	60,000	\$0
LINE Card 2	\$5	60,000	\$300,000
LINE Card 3	\$10	30,000	\$300,000
4 CORNERS Card 1	\$10	15,000	\$150,000
4 CORNERS Card 1 + LINE Card 2	\$15	15,000	\$225,000
LINE Card 4	\$20	3,750	\$75,000
4 CORNERS Card 2	\$20	3,750	\$75,000
\$20 BONUS	\$20	3,750	\$75,000
4 CORNERS Card 1 + LINE Card 3	\$20	3,750	\$75,000
4 CORNERS Card 3	\$30	2,250	\$67,500
X Card 1	\$30	2,250	\$67,500
LINE Card 3 + LINE Card 4	\$30	2,625	\$78,750
4 CORNERS Card 1 + \$20 BONUS	\$30	2,625	\$78,750
LINE Card 3 + \$20 BONUS	\$30	2,625	\$78,750
4 CORNERS Card 1 + 4 CORNERS Card 2	\$30	2,625	\$78,750
LINE Card 5	\$50	1,500	\$75,000
4 CORNERS Card 4	\$50	1,500	\$75,000
4 CORNERS Card 3 + \$20 BONUS	\$50	2,250	\$112,500
X Card 2	\$50	2,250	\$112,500
LINE Card 3 + LINE Card 4 + \$20 BONUS	\$50	3,000	\$150,000
4 CORNERS Card 2 + LINE Card 3 + LINE Card 4	\$50	3,000	\$150,000
LINE Card 6	\$100	113	\$11,300
4 CORNERS Card 5	\$100	113	\$11,300
X Card 3	\$100	113	\$11,300
X Card 1 + X Card 2 + \$20 BONUS	\$100	150	\$15,000
X Card 2 + LINE Card 5	\$100	150	\$15,000
4 CORNERS Card 1 + 4 CORNERS Card 2 + 4 CORNERS Card 3 + LINE Card 4 + \$20 BONUS	\$100	150	\$15,000
LINE Card 2 (20X)	\$100	375	\$37,500
LINE Card 2 (20X) + X Card 3	\$200	15	\$3,000
LINE Card 3 (20X)	\$200	15	\$3,000
X Card 1 + LINE Card 2 (20X) + LINE Card 3 (20X) + 4 CORNERS Card 4 + 4 CORNERS Card 5 + \$20 BONUS	\$400	15	\$6,000
LINE Card 4 (20X)	\$400	15	\$6,000
4 CORNERS Card 6	\$500	5	\$2,500
X Card 1 + X Card 2 + LINE Card 3 (20X) + 4 CORNERS Card 4 + LINE Card 5 + LINE Card 6 + \$20 BONUS	\$500	10	\$5,000
X Card 4	\$500	5	\$2,500
LINE Card 2 (20X) + LINE CARD 4 (20X)	\$500	5	\$2,500
X Card 5	\$1,000	2	\$2,000
LINE Card 5 (20X)	\$1,000	3	\$3,000
LINE Card 6 (20X)	\$2,000	3	\$6,000
X Card 6	\$25,000	9	\$225,000
Player Loyalty Program			\$27,400
TOTAL		224,766	\$2,810,300

(continued)

(j) The odds of winning a prize in this game are approximately one in 4.00. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and 74-8720; effective, T-111-4-24-19, March 13, 2019.)

111-4-3561. "Triple Motor Mayhem" instant ticket lottery game number 117. (a) The Kansas Lottery shall conduct an instant winner lottery game entitled "Triple Motor Mayhem." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3561.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
11	ELEVN
12	TWELV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYON
22	TWYTW
23	TWYTR
24	TWYFR
25	TWYFV
26	TWYSX
27	TWYSV
28	TWYET
29	TWYNI
30	THRTY
31	THYON
32	THYTW
33	THYTR
34	THYFR
35	THYFV
36	THYSX
37	THYSV
38	THYET
39	THYNI
40	FORTY
41	FRYON
42	FRYTW
43	FRYTR
44	FRYFR
45	FRYFV

46	FRYSX
47	FRYSV
48	FRYET
49	FRYNI
50	FIFTY
Symbol of a bank roll	WIN\$
WIN ALL	WINALL

Prize Symbols

FREE	TICKET
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
\$10. ⁰⁰	TEN\$
\$20. ⁰⁰	TWENTY
\$25. ⁰⁰	TWENFIV
\$40. ⁰⁰	FORTY
\$50. ⁰⁰	FIFTY
\$100	ONEHUN
\$200	TWOHUN
\$500	FIVHUN
\$1,000	ONETHO
\$5,000	FIVTHO
Symbol of a vehicle	AUTO

Captions

(c) For this game, a play/prize symbol shall appear in 56 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(e) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(f) The "Triple Motor Mayhem" ticket is a key number match game. The player will remove the scratch-off material to reveal six "WINNING NUMBERS" and 25 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBER." If the player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize shown below that number. If the player reveals a "symbol of a bankroll," the player wins that prize automatically. If the player reveals a "WIN ALL" symbol, the player wins all 25 prizes shown. If the player reveals a "symbol of a vehicle," the player wins their choice of the following: a 2019 Ford F-150 Raptor SuperCab; a 2019 Ford Mustang GT Premium Convertible; or a 2019 Ford Expedition XLT. Each automobile prize includes federal and state mandatory income withholding taxes and all initial taxes and fees for the vehicle. No cash option is available. Vehicle model and year numbers are approximated for prize purposes and may not be exactly as listed, but will be of the same approximate value as the vehicles listed.

(g) Each ticket in this game may win up to 25 times.

(h) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(i) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$10 Free Ticket	Free Ticket	50,000	\$0
\$10 x 2	\$20	20,000	400,000
\$20	\$20	10,000	200,000
(\$10 x 2) + \$5	\$25	5,000	125,000
\$5 x 5	\$25	5,000	125,000
\$25	\$25	5,000	125,000
\$2 w/WIN ALL	\$50	1,250	62,500
\$10 x 5	\$50	1,250	62,500
\$5 x 10	\$50	1,250	62,500
\$50	\$50	1,250	62,500
\$4 w/WIN ALL	\$100	500	50,000
\$25 x 4	\$100	500	50,000
(\$5 x 3) + (\$10 x 2) + (\$20 x 2) + \$25	\$100	500	50,000
\$100	\$100	375	37,500
\$20 w/WIN ALL	\$500	20	10,000
(\$10 x 5) + (\$20 x 5) + (\$25 x 4) + (\$100 x 2) + \$50	\$500	20	10,000
\$20 x 25	\$500	20	10,000
\$500	\$500	20	10,000
\$40 w/WIN ALL	\$1,000	3	3,000
\$500 x 2	\$1,000	3	3,000
\$40 x 25	\$1,000	3	3,000
\$1,000	\$1,000	3	3,000
\$200 w/WIN ALL	\$5,000	1	5,000
\$500 x 10	\$5,000	1	5,000
\$1,000 x 5	\$5,000	1	5,000
\$5,000	\$5,000	1	5,000
Vehicle	\$90,000	2	180,000
Second-Chance Drawing Vehicle	\$90,000	1	90,000
Second-Chance Drawing – Cash Prizes	\$32,000	1	32,000
Player Loyalty Program	\$16,000		16,000
TOTAL		101,975	\$1,802,500

(j) The odds of winning a prize in this game are approximately one in 2.94. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and 74-8720; effective, T-111-4-24-19, March 13, 2019.)

Article 19. — SPECIFIC PLAYER LOYALTY CLUB RULES

111-19-52. Kansas City Royals drawings. (a) The Kansas Lottery shall conduct two drawings; a drawing entitled “2019 Kansas City Royals Suite Experience” and a drawing entitled “2019 Kansas City Royals Ultimate Fan Day Experience.” The Kansas Lottery will accept entries into the drawings beginning at 12:01 a.m., April 1, 2019. Entry deadline for the drawings will be noon, June 7, 2019. The drawings will be conducted sometime after entry into the drawings has closed but before noon on June 12, 2019, at which time the winners will be announced.

(b) Only registered Kansas Lottery PlayOn (“PlayOn”) members may enter the drawing. PlayOn members must enter themselves into the drawings according to the terms and conditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

(c) A total of 250 player loyalty club points are required for a PlayOn member to enter once in the “2019 Kansas City Royals Suite Experience” and a total of 875 player loyalty club points are required for a PlayOn member to enter once in the “2019 Kansas City Royals Ultimate Fan Day Experience.”

(d) For the first drawing, “2019 Kansas City Royals Suite Experience”, the Kansas Lottery shall award 16 prize packages. Each prize package shall consist of the following: two tickets in the All Star Suite at Kauffman Stadium for the July 13, 2019 game against the Detroit Tigers; a parking pass; one double occupancy hotel room for July 13, 2019 at the Drury Inn hotel in Kansas City; food and non-alcoholic beverages in the suite; two \$75.00 KC Royals gift cards (good for the concession stand or the merchandise stores located inside Kauffman stadium); \$300 cash; and state and federal mandatory income withholding taxes paid by the Kansas Lottery. Each prize package is valued at approximately \$1,334.00.

(e) For the second drawing, “2019 Kansas City Royals Ultimate Fan Day Experience”, the Kansas Lottery shall award one prize package. The prize package shall consist of the following: four tickets to Kauffman Stadium for the July 26, 2019 game against the Cleveland Indians; a parking pass; a pass to watch batting practice at field level; a tour behind the scenes of Kauffman Stadium; throwing the ceremonial first pitch before the game begins; one \$75.00 KC Royals gift card (good for the concession stand or the merchandise stores located inside Kauffman Stadium); one autographed baseball; \$300 cash; and state and federal mandatory income withholding taxes paid by the Kansas Lottery. The prize package is valued at approximately \$7,747.00.

(f) The first drawing shall select 21 entrants. The first 16 entrants drawn in the first drawing shall be awarded prizes identified in subsection (d). The next five drawn in this drawing (identified as numbers 17 through 21) will be used as alternate winners, if necessary, in the order drawn. The second drawing shall select six entrants. The first entrant drawn in the second drawing shall be awarded prizes identified in subsection (e). The next five entrants drawn in this drawing (identified as numbers two through six) will be used as alternate winners, if necessary, in the order drawn.

(g) A player may enter the drawing(s) as many times as his or her points allow, but may win only one prize package in each drawing.

(h) A player who is selected as a prize winner in any of the drawings will be sent an email to the email address in their PlayOn profile with an electronic claim form attached, followed by the same documentation sent by U.S. mail. That winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered to the Kansas Lottery claims center, and the claim form must be received by the Kansas Lottery within 14 calendar days following the date the winners are announced. Failure to return the completed claim form in the allotted time shall result in the prize being awarded to an alternate winner. In the event an alternate winner is awarded a prize, that alternate winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered, and

(continued)

the claim form must be received by the Kansas Lottery within 14 calendar days following the date the alternate winner was sent a claim form electronically or another alternate will be selected until all alternates are exhausted. The Kansas Lottery is not responsible for electronic malfunction or player error.

(i) Each person who enters the drawing(s), agrees to release Kansas City Royals Corporation, its parent and affiliated companies, the Kansas Lottery and their respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawings or with acceptance and use of any prize.

(j) In the event any game in the prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided.

(k) By entering the drawing(s), entrant agrees to PlayOn terms and conditions.

(l) Rules applicable to this online event drawing are contained in K.A.R. 111-19-52 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-53. PlayOn to Nashville Drawing. (a) The Kansas Lottery shall conduct a drawing entitled "PlayOn to Nashville" awarding a trip prize package to the two players selected as the winners. Entries into the drawing will be accepted beginning at 12:01 a.m. on May 1, 2019. Entry deadline into the drawing is noon on August 31, 2019. The drawing will be conducted sometime after entry into the drawing has closed but before noon on September 9, 2019, at which time the winners will be announced.

(b) One drawing will be conducted to select two winners of a trip prize package. Each trip prize package shall include:

(1) A trip for two persons to the 2019 Country Music Awards show (CMA) on November 13, 2019 in Nashville, Tennessee;

(2) Round trip economy airfare from Kansas City, Missouri, Manhattan, Kansas, Wichita, Kansas or Denver, Colorado, to Nashville International Airport;

(3) Round trip limousine transportation to and from the Nashville International Airport;

(4) Three days and two nights' accommodations for two adults at The Westin Nashville hotel, including daily breakfast and all hotel taxes and fees;

(5) Two (2) tickets to the 2019 CMA show including round trip van transportation to and from the hotel;

(6) Two (2) tickets to the 2019 CMA Awards Country Late Night Private After Party event, including food, beverages, live entertainment, and round trip van transportation to and from the hotel;

(7) Two (2) tickets to the Country Music Hall of Fame;

(8) \$1,000 cash; and,

(9) State and federal mandatory income tax withholdings.

(c) Seven entries shall be selected in the drawing. The first two entries selected shall be the winners. The next five entries selected in the drawing (numbers three

through seven) shall be used as alternate winners in the order drawn, if needed.

(d) A PlayOn member may enter the drawing by redeeming 1,650 points in PlayOn.

(e) A player may enter the drawing an unlimited number of times, but may win only one trip prize package in this promotion.

(f) PlayOn members must enter themselves into the drawings according to the terms and conditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

(g) By entering the promotion, entrant agrees to all PlayOn terms and conditions.

(h) A player who is selected as a prize winner will be sent an email to the email address in their PlayOn profile with an electronic claim form attached, followed by the same documentation sent by U.S. mail. That winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered to the Kansas Lottery claims center, and the claim form must be received by the Kansas Lottery within 14 calendar days following the date the names of the winners are announced. Failure to return the completed claim form in the allotted time shall result in the prize being awarded to an alternate winner. In the event an alternate winner is awarded a prize, that alternate winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered, and the claim form must be received by the Kansas Lottery within 14 calendar days following the date the alternate winner was sent a claim form electronically or another alternate will be selected until all alternates are exhausted. The Kansas Lottery is not responsible for electronic malfunction or player error.

(i) The winner must book the travel within thirty days of being notified by the Kansas Lottery that he or she has won a prize. Travel must take place on the dates of the CMA show in November 2019.

(j) The prize winner and guest must travel together or otherwise arrange for separate transportation to the CMA show at their own expense.

(k) If the winner fails to show at the designated time of trip departure, the trip portion of the prize package shall be forfeited.

(l) The trip prize package is not transferrable or assignable without written consent of the Kansas Lottery. Before the original winner may transfer or assign a trip prize package, the original winner must complete the claim process for the prize and then designate the person to whom the prize will be transferred or assigned. Notwithstanding the foregoing, the \$1,000 cash award included in the trip prize package shall not be transferred or assigned and shall be paid to the original winner, and all state and federal mandatory income withholding taxes shall be paid in the name of and on behalf of the original winner.

(m) In the event the trip prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(n) Each trip prize package is valued at over approximately \$15,486. State and federal income withholding taxes are paid by the Kansas Lottery.

(o) Rules applicable to this promotion are contained in K.A.R. 111-19-53 and K.A.R. 111-18-1 *et seq.* (Authorized

by K.S.A. 74-8710 and 74-8748; implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-54. Kicker Country Stampede Drawings.

(a) The Kansas Lottery shall conduct three (3) drawings entitled "Kicker Country Stampede Drawings" in each of which ten (10) Kansas Lottery players will win prize packages for the 2019 Kicker Country Stampede in Manhattan, Kansas. The Kansas Lottery will accept entries into the drawings beginning at 12:01 a.m. on May 1, 2019. Entry deadline for the drawings will be at 11:59 p.m. on May 24, 2019. A drawing will be conducted for each concert day of the Kicker County Stampede. In each drawing ten (10) winners and five (5) alternates will be selected. The drawings will be conducted sometime after entry into the drawings has closed but before noon on May 31, 2019, at which time the winners will be announced.

(b) Only registered Kansas Lottery PlayOn ("PlayOn") members may enter the drawings. PlayOn members must enter themselves into the drawings according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 140 player loyalty club points are required for a PlayOn member to enter once in a drawing. At the time of entry, the player will select for which concert day they wish to win a prize package.

(d) Each winner shall receive: two (2) VIP Seating Tickets, reserved seats for the concert on Thursday June 20, 2019, Friday June 21, 2019 or Saturday June 22, 2019 at the Kicker Country Stampede; parking; access to the VIP hospitality area; and, meals and beverages. Each prize package is valued at approximately \$400.

(e) A player may enter the drawings as many times as his or her points allow, but may win only one prize package in each drawing.

(f) A player who is selected as a prize winner in any of the drawings will be sent an email to the email address in their PlayOn profile with an electronic claim form attached, followed by the same documentation sent by U.S. mail. That winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered to the Kansas Lottery claims center, and the claim form must be received by the Kansas Lottery within 10 calendar days following the date the winners are announced. Failure to return the completed claim form in the allotted time shall result in the prize being awarded to an alternate winner. In the event an alternate winner is awarded a prize, that alternate winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered, and the claim form must be received by the Kansas Lottery within 10 calendar days following the date the alternate winner was sent a claim form electronically or another alternate will be selected until all alternates are exhausted. The Kansas Lottery is not responsible for electronic malfunction or player error.

(g) Each person who enters the drawings agrees to release the Kansas Lottery and their respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawings or with acceptance and use of any prize.

(h) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided.

(i) By entering the drawings, entrant agrees to PlayOn terms and conditions.

(j) Rules applicable to this online event drawing are contained in K.A.R. 111-19-54 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 74-8710 and 74-8748; implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-55. Triple Motor Mayhem Drawings. The Kansas Lottery shall conduct a promotional event entitled "Triple Motor Mayhem Drawings" which shall consist of a series of four (4) preliminary drawings and a grand prize giveaway event. The winners selected during each of the preliminary drawings shall become finalists in the grand prize giveaway event. The Kansas Lottery will accept entries into the "Triple Motor Mayhem Drawings" beginning at 12:01 a.m. on May 1, 2019 and ending at 11:59 p.m. on September 16, 2019, as specified in these rules. The grand prize giveaway event will be conducted at Bill Snyder Family Stadium on the campus of Kansas State University in Manhattan, Kansas, on October 26, 2019, at a time to be determined during the athletic event. The grand prize giveaway event will be audio and video recorded. Rules applicable to this promotional event are contained in K.A.R. 111-19-55 through 111-19-61, K.A.R. 111-3-1, *et seq.*, and K.A.R. 111-18-1, *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-56. Definitions. (a) All definitions contained in the Kansas Lottery Act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Triple Motor Mayhem Drawings" means the series of four (4) preliminary drawings to be conducted by the Kansas Lottery, or designee, at the times and dates described in these rules in which participants are selected as finalists to win prizes as described in these rules.

(c) "Drawing winner" or "finalist" means the person whose entry ticket was drawn in one of the four preliminary drawings and declared a winner of that drawing who shall become a finalist in the grand prize giveaway event.

(d) "Grand prize" means the prize to be given away identified in K.A.R. 111-19-57(a).

(e) "Grand prize giveaway event" means the event held during which the determination of the winner of the grand prize will be made.

(f) "Non-winning ticket" means any valid Kansas Lottery "Triple Motor Mayhem" instant game ticket not eligible to win an instant prize under the rules of the "Triple Motor Mayhem" instant game.

(g) "Secondary prize" means one of the prizes to be given away identified in K.A.R. 111-19-57(b). (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-57. Prizes. (a) The grand prize winner in the "Triple Motor Mayhem Drawings" shall receive his or her choice of the following: a 2019 Ford F-150 Raptor Su-

(continued)

perCab; a 2019 Ford Mustang GT Premium Convertible; or a 2019 Ford Expedition XLT. Each vehicle prize includes federal and state mandatory income withholding taxes and all initial taxes and fees for the vehicle. No cash option is available. Vehicle model and year numbers are approximated for prize purposes and may not be exactly as listed, but will be of the same approximate value as the vehicles listed.

(b) The finalists in the promotional event, and who are not awarded the grand prize, shall each receive a secondary prize, subject to federal and state mandatory income withholding taxes, as follows:

- (1) Three (3) will win \$1,500 cash
- (2) Three (3) will win \$2,500 cash
- (3) Two (2) will win \$5,000 cash
- (4) One (1) will win \$10,000 cash

(c) All prizes are subject to lottery validation, set-offs, and deductions authorized by law. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-58. Method of entry. Entry into the four “Triple Motor Mayhem Drawings” shall be accomplished as follows:

(a) Obtain a valid Kansas Lottery “Triple Motor Mayhem” instant lottery ticket game number 117;

(b) Determine if the ticket is a winning ticket in accordance with “Triple Motor Mayhem” game rules. If the ticket is a winning ticket, it is not eligible for the “Triple Motor Mayhem Drawings” and shall be redeemed in accordance with the instant game rules.

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawings and the holder of the ticket may use it to enter the “Triple Motor Mayhem Drawings.”

(d) The holder of the non-winning ticket must enter qualifying tickets through the Kansas Lottery PlayOn program at www.kslottery.com. The player shall follow the hyperlink specifically developed for the purpose of accessing the “Triple Motor Mayhem Drawings.” The player may manually enter the required data from the instant ticket for entry into the drawing. If the player does not enter the ticket data manually, the player may scan, if available, the ticket to enter data to be used for entry into the drawing using a mobile device and a downloaded Kansas Lottery PlayOn app. After the ticket data is successfully entered either manually or scanned using an app, the player will receive one entry into the second-chance drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-59. Selection of drawing winners. (a) All drawings shall be conducted in accordance with the drawing procedures established in K.A.R. 111-18-1, *et seq.*

(b) Four (4) preliminary drawings will be conducted to select the drawing winners who will be finalists in the grand prize giveaway on October 26, 2019, as follows:

(1) Entry deadline for the first preliminary drawing will be 11:59 p.m., June 24, 2019. The first preliminary drawing will be conducted sometime after entry into the drawing has closed but before noon on June 28, 2019, at which time three (3) drawing winners will be announced;

(2) Entry deadline for the second preliminary drawing will be 11:59 p.m., July 22, 2019. The second preliminary

drawing will be conducted sometime after entry into the drawing has closed but before noon on July 26, 2019, at which time three (3) drawing winners will be announced;

(3) Entry deadline for the third preliminary drawing will be 11:59 p.m., August 26, 2019. The third preliminary drawing will be conducted sometime after entry into the drawing has closed but before noon on August 30, 2019, at which time three (3) drawing winners will be announced;

(4) Entry deadline for the fourth preliminary drawing will be 11:59 p.m., September 16, 2019. The fourth preliminary drawing will be conducted sometime after entry in the drawing has closed but before noon on September 20, 2019, at which time one (1) drawing winner will be announced; and,

(5) Immediately following each preliminary drawing, five (5) additional entries shall be drawn to serve as alternate winners in the order drawn for that preliminary drawing.

(c) Any entries not selected as drawing winners shall remain eligible to be selected as a drawing winner in any subsequent drawing.

(d) There is no limit on the number of non-winning tickets a person may enter. If a person is selected as a drawing winner in any drawing, the drawing winner shall not be eligible to be selected as a drawing winner in any subsequent drawing(s).

(e) On each day the preliminary winners are announced, a player who is selected as a drawing winner will be sent an email to the email address in their PlayOn profile with an electronic claim form attached, followed by the same documentation sent by U.S. mail. That winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered to the Kansas Lottery claims center, and the claim form must be received by the Kansas Lottery within ten (10) calendar days following the date of the announcement. Failure to return the completed claim form in the allotted time shall result in the prize being awarded to an alternate winner. In the event an alternate winner is awarded a prize, that alternate winner must return his or her completed claim form, electronically, by U.S. mail, or hand-delivered, and the claim form must be received by the Kansas Lottery within ten (10) calendar days following the date the alternate winner was sent a claim form electronically or another alternate will be selected until all alternates are exhausted. The Kansas Lottery is not responsible for electronic malfunction or player error.

(f) In addition to becoming finalists in the grand prize giveaway, the ten (10) drawing winners selected in the four (4) preliminary drawings shall also each receive the following:

(1) Two (2) game tickets and a parking pass to the October 26, 2019 athletic event held at the Bill Snyder Family Stadium in Manhattan, Kansas;

(2) Three days and two nights accommodations at a hotel selected by the Kansas Lottery for two adults, including all hotel taxes and fees; and,

(3) \$200 cash.

(g) If the executive director of the Kansas Lottery reasonably determines that changes need to be made to the dates of the drawing(s) or the drawing procedure, any

changes will be posted on the Kansas Lottery's website, www.kslottery.com prior to said changes becoming effective. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-60. Determination of grand prize winner and secondary prize winners. On October 26, 2019, at the athletic event held at the Bill Snyder Family Stadium in Manhattan, Kansas, at a time to be determined, the winner of the grand prize and winners of the secondary prizes in the "Triple Motor Mayhem Drawings" will be determined as follows:

(a) The 10 finalists of the "Triple Motor Mayhem Drawings" or their proxies, will present themselves at a location designated above;

(b) The Kansas Lottery will present oversized identical mock up keys that are roughly two feet by eighteen inches. Each key will have a hidden prize not identifiable until the reveal. Signage will be displayed inside each key. The signage inside nine of the keys will indicate a cash value for one of the secondary prizes. The signage inside one of the keys will indicate a vehicle for the grand prize.

(c) In the same order as their names were drawn during the preliminary drawings, the finalists or designated proxy shall come forward, one-by-one, and select a key of his or her choice but shall not reveal the signage inside the key. After all 10 finalists have selected a key the finalists will be given a signal to simultaneously reveal their prizes. Each finalist shall receive the prizes described in K.A.R. 111-19-57(a) or K.A.R. 111-19-57(b) according to the signage inside the key that they selected.

(d) Following the determination of the grand prize winner and secondary prize winners, a claim form will be mailed or given to each finalist of the respective prize won. Each finalist shall then have until 5:00 p.m. on the tenth day following the presentation or mailing of a claim form to the finalist, whichever is applicable, to present the fully-executed claim form to lottery headquarters. If the tenth day following the mailing of a claim form to the finalist falls on a weekend or holiday, the tenth day shall be extended to the next business day. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the Kansas Lottery will conduct a random drawing at Lottery headquarters on a date and time determined by the executive director of the Kansas Lottery for the purpose of determining an alternate grand prize winner. The names of the remaining finalists in the grand prize giveaway event shall be placed into the random drawing to determine an alternate grand prize winner. The drawing shall place the remaining finalists in order from number 1 through 9 to be used in the order drawn as alternates for the grand prize. The alternate grand prize winner shall retain their secondary prize awarded as a finalist. An alternate grand prize winner shall have until 5:00 p.m. on the tenth day following mailing of a claim form to an alternate grand prize winner to present the fully-executed claim form to Lottery headquarters. If the tenth day following the mailing of a claim form to an alternate grand prize winner falls on a weekend or holiday, the tenth day shall be extended to the next business day. If an alternate grand prize winner cannot be located or is declared ineligible, or fails to timely present

a fully-executed claim form to Lottery headquarters, the grand prize will be awarded to the next finalist selected in the drawing for alternate grand prize winners. The alternate grand prize winner process shall be repeated until the grand prize is properly claimed or until such time as no alternate finalists remain, whichever occurs first.

(e) A finalist may complete a form provided by the Kansas Lottery to designate a proxy to participate in the grand prize giveaway event on behalf of the finalist. If a finalist uses a proxy during the grand prize giveaway event, the finalist in the grand prize giveaway event shall be the winner of the prize selected by his or her proxy.

(f) Any person acting as proxy for a finalist shall not be entitled to any prize. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

111-19-61. Certification of drawing and grand prize winner determination. (a) Prior to the grand prize giveaway event on October 26, 2019, Kansas Lottery security personnel shall record and certify in writing to the event manager the name of any individual serving as proxy on a drawing winner's behalf at the grand prize giveaway event. Prior to the grand prize giveaway event the event manager shall confirm that the drawing winner's name correctly corresponds with the designated proxy individual's name.

(b) Upon completion of the drawings and grand prize giveaway event, the security official and the event manager shall issue a report to the executive director, certifying that the names of the prize winners are correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-4-24-19, March 13, 2019.)

Article 601. — SOUTHEAST GAMING ZONE

111-601-2. Definitions. The following definitions shall apply to the blackjack game:

(a) "Blackjack" means an ace and any 10, jack, queen, or king dealt as the initial two cards to a player or a dealer, not including an ace and a ten point value card dealt to a player who has split pairs.

(b) "Burn card" means a playing card that is dealt from the top of a deck and it is discarded ("burned").

(c) "Cut card" means the non-playing card used to divide one or more decks of playing cards into two portions.

(d) "Dealer" means a person responsible for dealing cards at a blackjack table.

(e) "Dealer's shoe" or "dealing shoe" means a device that is used to hold multiple decks of playing cards.

(f) "Double down" means when a player increases the player's original wager by an amount up to 100 percent in exchange for committing to stand (take no more cards) after receiving only one more card for that hand. A player may double down on any of the player's first two cards unless the player's first two cards constitute a blackjack. In the event a player splits the player's first two cards, the player may double down after receiving the player's second card for each split hand.

(g) "Hard total" means the total point count of a hand which contains no aces or which contains aces that are each counted as one in value.

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(h) "Hard 17" means a deal hand adding up to a total of 17 points, which hand does not include an ace.

(i) "Hole card" means the first card dealt face down to the dealer.

(j) "Insurance line" means the line on the table layout for the game of blackjack on which line a player places an insurance bet.

(k) "Mid-shoe entry" means entry into a game by a new player at any time after the initial hand has been dealt after a shuffle of the cards.

(l) "Soft total" means the total point count of a hand containing an ace when the ace is counted as 11 in value.

(m) "Soft 17" means a dealer hand adding up to a total of 17 points, which hand includes an ace.

(n) "Split pairs" means two cards of identical rank dealt as the initial two cards to a player that the player has elected to divide into two separate hands.

(o) "Straight" means three cards in consecutive order but not all cards are in the same suit, with the rank of cards from lowest to highest being 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, king, and ace, except that an ace can also be used with a 2 and 3 to make a straight or straight flush.

(p) "Straight flush" means a straight as defined hereinabove, except that all cards must be in the same suit.

(q) "Suit" means markings on each card representing hearts, spades, diamonds or clubs.

(r) "Suited three of a kind" means three cards of the same rank and all cards are in the same suit.

(s) "Three of a kind" means three cards of the same rank but not all cards are in the same suit.

(t) "Toke" means a gratuity or tip.

(u) "Toke bet" means a separate bet made by a player for the dealer, which bet is paid to the dealer as a gratuity if the player's hand wins.

(v) "Wash shuffle" means randomly mixing the cards through a circular washing motion while the cards are spread on the layout. (Authorized by K.S.A. 2018 Supp. 74-8710 and 74-8748; implementing K.S.A. 74-8710; effective, T-111-2-2-17, Nov. 9, 2016; amended T-111-4-24-19, March 13, 2019.)

111-601-6. Rules of the game. (a) The cards shall be shuffled under the following circumstances:

(1) A new set of decks are put into play.

(2) When the cut card appears during the course of the play (the shuffle will take place prior to the next round of play).

(3) Whenever the cards have been dropped or otherwise mishandled by the dealer.

(4) Whenever instructed to do so by the table game supervisor or higher ranking casino official.

(5) At no time will the dealer shuffle at the request of a player unless authorized to do so by a table games supervisor or higher ranking casino official.

(b) The dealer is to maintain physical and visual contact with the cards at all times while the cards are out of the shoe; however, the cards shall be placed back in the dealer's shoe for commencement of play.

(c) A card shall be burned for the following reasons:

(1) After a shuffle of the cards.

(2) A card has been exposed or dealt by mistake unless the card was exposed or dealt by mistake to the player

in the last occupied player position immediately before the dealer.

(3) When a dealer is relieved, the new dealer shall burn a card.

(4) If a table is dead (no players), upon the arrival of new players, the dealer shall burn a card.

(d) All cards shall be dealt from a dealing shoe secured to and located on the extreme left-hand side of the table.

(e) All players' cards should be delivered face up, starting on the dealer's left and continuing clockwise around the table.

(f) After each player has received one card, the dealer shall take one card face down. A second card should be dealt to each player face up and the dealer's second card will be dealt face down. The dealer's second card should be placed underneath the dealer's first card, the first card is now turned face up and should cover the second card in such a way that no part of that card is visible.

(g) Cards shall not touch a player's bet and shall be placed in a manner which allows the center spot of each card to be visible.

(h) Players shall not handle any of the cards.

(i) After two cards have been dealt to each player, the dealer shall start with the player to the left and continue to the right until all players have acted upon the hand.

(j) Players shall indicate hit or stand by using visible hand signals.

(k) All hit cards are dealt face-up, utilizing the left hand for positions one (1) and two (2), and the right hand for positions three (3) through seven (7).

(l) After all players' hands have stood or broken, the dealer shall turn his hole card face-up and announce the point total.

(m) If there are players' hands still in action, the dealer must take a hit if the value of the dealer's cards totals 16 or less or a soft 17, but stand on a hard 17 or more.

(n) The dealer shall announce "over", "too many" or "busted" when the dealer's hand exceeds 21.

(o) The dealer shall then take or pay according to the hands dealt.

(p) A dealer accidentally hitting his hand while having a hard seventeen or more shall contact the table games supervisor or higher ranking casino official who shall handle the situation accordingly.

(q) A player may elect to double down with any initial two (2) cards, and bet up to the amount of his original bet on the condition that only one (1) additional card shall be dealt to the player.

(r) The additional chips for the double-down bet should be placed next to the original wager before the double down card is dealt.

(s) The double down card will be exposed and placed across the two (2) cards involved, in such a manner as to keep the number exposed on the player's second card.

(t) When paying double down bets, the dealer shall not combine the chips used to pay the bet with the player's chips used to make the bet into a single stack, but instead shall stack the chips used to pay the bet next to the player's chips. The dealer is not permitted to move the player's bet with chips in the dealer's hand.

(u) Whenever the initial two cards to a player are of the same face value, the player may elect to split the cards

into two separate hands, provided that the player makes a bet equal to the original bet. The following rules apply to splitting cards:

(1) After splitting, the first hand will receive a card. This hand will be completed by either hitting again or staying before the next hand is dealt to.

(2) The second hand will receive a card. This hand will be completed by either hitting again or staying before moving on to the next hand.

(3) A player may split up to three times excluding aces which may only be split once. When aces are split, the player will only receive one card per ace.

(v) The dealer will ask if any player wishes to place an insurance bet when the dealer's "up" card is an ace.

(w) Insurance is a separate bet. The player is betting that the dealer has blackjack. If the dealer does not have blackjack, then the player loses the player's insurance bet.

(x) The player can take insurance for any amount up to one-half of the original bet.

(y) The insurance bet shall be placed on the insurance line on the table layout.

(z) The dealer will then verbally close the time for accepting insurance bets.

(aa) If the dealer's hand is a blackjack and the player has taken insurance, the dealer will take the losing bet and pay off the winning insurance bet with the losing bet in an amount not to exceed the player's original bet. Insurance will be paid at a rate of 2 to 1.

(bb) If the player's hand is a blackjack and the dealer's "up" card is an ace, the player can announce even money and be paid the amount of the player's bet.

(cc) Players may insure a token bet and the bet is handled by the same procedure as any other insurance bet.

(dd) A player may place more than one-half of their original bet on the insurance line but only one-half of their original bet is in action. Any overage will be returned to the player after it is determined that the dealer does or does not have blackjack.

(ee) All blackjacks will be paid at odds of 3 to 2. The dealer shall pay the player having a blackjack during the normal course of the dealer's take and pay procedures.

(ff) If the dealer and a player have blackjack, the player's bet will be a push (tie).

(gg) If the dealer looks at the dealer's hole card and fails to recognize the fact the dealer has a blackjack, the dealer's hand will be played as a total of 21 only, and not as a blackjack. A player that doubles down or splits will receive back any additional wagers made after their initial wager.

(hh) Any player's hand that exceeds a total of 21 has busted or "busted" and their hand loses.

(ii) If the dealer has an up card with the value of ten, the dealer will use the peeking device built into the gaming table to check to see if the dealer has a blackjack.

(jj) If the dealer has a blackjack all losing bets will be collected and all blackjacks will push.

(kk) If the dealer does not have blackjack the hand will continue as normal.

(ll) A card found turned upwards in the shoe shall not be used in that game and shall be placed in the discard rack (burned).

(mm) A card drawn in error without its face being ex-

posed shall be used as though it were the next card from the shoe.

(nn) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be burned or placed in the discard rack and will not be offered to any player or to the dealer unless the card was dealt by mistake to the player in the last occupied player position immediately before the dealer. In that case, if the card is needed by the dealer to complete the dealer's hand, then the card shall be retained by the dealer. If the card is not needed by the dealer to complete the dealer's hand, then the card shall be burned.

(oo) If the dealer has a point total of a hard seventeen or more and accidentally draws a card for the dealer, such card shall be burned.

(pp) If the dealer misses dealing his first or second card to the dealer, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to the dealer.

(qq) If there are insufficient cards remaining to complete a round of play, all of the cards in the discard rack shall be shuffled and cut, the first card shall be drawn face down and burned, and the dealer shall complete the round of play.

(rr) If no cards or only one card is dealt to a player's hand, the hand is dead and the player shall be included in the next deal.

(ss) If any card is dealt and an error occurs, at no time as a result of the error will any card dealt to a player be taken from that player and dealt to another player.

(tt) If a dispute occurs because of a mistake during a hand by the dealer or a player, the table games supervisor or higher ranking casino official shall be authorized to declare that all or part of the hand is dead (void) and can return any disputed money.

(uu) If offered at the blackjack table, a player making a blackjack wager may also make an optional three card poker wager in the area on the table designated for that optional wager so long as the wager is made prior to the first card of the hand being removed from the shoe.

(vv) If a player makes an optional three card poker wager, the player may also make a three card token bet so long as the token bet is made prior to the first card of the hand being removed from the shoe.

(ww) Resolution of all optional three card poker wagers shall be made after all players and the dealer have received their second card and before the blackjack game continues.

(xx) An optional three card poker wager will win if the dealer's card dealt face up and the player's two cards combined equal one of the following three card poker hands:

- (1) A "flush";
- (2) A "straight";
- (3) A "three of a kind"; or,
- (4) A "straight flush".

(yy) All winning three card poker wagers shall be paid at the rate of nine to one.

(zz) All three card poker wagers shall be taken or paid from the dealer's right to left before the blackjack portion of the game continues.

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(aaa) If offered at the blackjack table, a player making a blackjack wager may also make an optional "Top 3" wager. The following describes a list of the permissible wagers, payout odds, and what constitutes a win and a loss for Top 3 wagers:

(1) An optional Top 3 wager may be made by the player prior to the first card of the hand being removed from the shoe in an area on the gaming table layout designated for the Top 3 wager.

(2) An additional Top 3 wager may be made as a tip for the dealer.

(3) A Top 3 wager will win if the dealer's card dealt face up and the player's original two cards combined equal a three of a kind, straight flush, or a suited three of a kind.

(4) A Top 3 wager will lose if the dealer's card dealt face up and the player's original two cards combined do not equal a three of a kind, straight flush, or a suited three of a kind.

(5) Winning Top 3 wagers will be paid out as follows:

(A) When the player's original two cards and the dealer's card dealt face up combined equal a three of a kind the hand will be paid at a rate of 90 to 1.

(B) When the player's original two cards and the dealer's card dealt face up combined equal a straight flush the hand will be paid at a rate of 180 to 1.

(C) When the player's original two cards and the dealer's card dealt face up combined equal a suited three of a kind the hand will be paid at a rate of 270 to 1.

(D) All Top 3 wagers will be taken or paid before the blackjack portion of the game continues.

(bbb) If offered at the blackjack table, a player making a blackjack wager may also make an optional "Lucky Ladies" wager. The following describes a list of the permissible wagers, payout odds, and what constitutes a win or loss for Lucky Ladies wagers:

(1) An optional Lucky Ladies wager may be made by the player prior to the first card of the hand being removed from the shoe in an area on the gaming table layout designated for the Lucky Ladies wager.

(2) An additional Lucky Ladies wager may be made as a tip for the dealer.

(3) A Lucky Ladies wager will win if the sum of the player's first two cards is twenty (20).

(4) A Lucky Ladies wager will lose if the sum of the player's first two cards is anything other than twenty (20).

(5) Winning Lucky Ladies wagers will be paid out as follows:

(A) When the player's first two cards are both queens of hearts and the dealer's hand constitutes a blackjack, the optional side bet will be paid at a rate of 1,000 to 1.

(B) When the player's first two cards are both queens of hearts and the dealer's hand constitutes anything other than a blackjack, the optional side bet will be paid at a rate of 125 to 1.

(C) When the player's first two cards are identical but not queens of hearts, and each card has a value of ten (10), the optional side bet will be paid at a rate of 19 to 1.

(D) When the player's first two cards are not identical but are both in the same suit and the sum of the two cards is twenty (20), the optional side bet will be paid at a rate of 9 to 1.

(E) When the sum of the player's first two cards is twenty (20) and the cards are in two different suits and are not identical, the optional side bet will be paid at a rate of 4 to 1.

(F) All Lucky Ladies wagers will be taken or paid before the blackjack portion of the game continues. Beginning from the dealer's right and proceeding counter-clockwise around the gaming table, the dealer shall take all losing Lucky Ladies wagers and pay all winning Lucky Ladies wagers, except that if any player making a Lucky Ladies wager is dealt two queens of hearts and the dealer's card dealt face up is an ace, king, queen, jack or ten, then the dealer shall immediately notify the casino table games supervisor. Upon the table games supervisor's direction the dealer shall then perform the following steps:

(1) Remove all losing Lucky Ladies wagers and pay all winning Lucky Ladies wagers, except for the player(s) with the two queens of hearts:

(2) If the dealer's card dealt face up is a king, queen, jack or ten, the following steps shall be performed:

(i) Upon the table games supervisor's instruction, the dealer shall view the dealer's card that was dealt face down without revealing the card to anyone else;

(ii) If the dealer determines the dealer's hand does not constitute a blackjack, the dealer shall pay any player with the two queens of hearts and the round of play shall then proceed;

(iii) If the dealer determines the dealer's hand does constitute a blackjack, the dealer shall turn over the card that was dealt to the dealer face down and collect all losing blackjack wagers from all players. The dealer shall then remove all of the players' cards remaining on the table layout, if any, except for any player's hand with the two queens of hearts, at which time the dealer shall pay the Lucky Ladies wager to the player with the winning hand and then remove all remaining cards from the table layout.

(3) If the dealer's card dealt face up is an ace, the following steps shall be performed:

(i) The dealer shall offer insurance to all players;

(ii) If the dealer does not have a blackjack, the dealer shall remove all losing insurance wagers. The dealer shall then pay the Lucky Ladies wager to any player with two queens of hearts and the round of play shall then proceed;

(iii) If the dealer does have a blackjack, the dealer shall turn over the dealer's card that was dealt face down and collect all losing blackjack wagers and pay all winning insurance wagers from all players. The dealer shall then remove all of the players' cards on the table layout except for any player with the two queens of hearts. The dealer shall then pay the Lucky Ladies wager to any player with the two queens of hearts and then remove all remaining cards from the table layout.

(4) The outcome of a Lucky Ladies wager shall have no bearing on the blackjack wager. Once all Lucky Ladies wagers have been resolved the blackjack game shall proceed as normal. (Authorized by K.S.A. 2018 Supp. 74-8710 and 74-8748; implementing K.S.A. 74-8710; effective, T-111-2-2-17, Nov. 9, 2016; amended T-111-4-24-19, March 13, 2019.)

Stephen W. Durrell
Executive Director

Doc. No. 047186

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2018 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-6-3	Amended	V. 37, p. 592
4-28-5	Amended	V. 37, p. 592
4-28-6	Amended	V. 37, p. 593
4-34-1	New	V. 38, p. 57
4-34-2	New	V. 38, p. 58
4-34-3	New	V. 38, p. 58
4-34-4	New	V. 38, p. 59
4-34-5	New	V. 38, p. 59
4-34-6	New	V. 38, p. 61
4-34-7	New	V. 38, p. 62
4-34-8	New	V. 38, p. 62
4-34-9	New	V. 38, p. 63
4-34-10	New	V. 38, p. 64
4-34-11	New	V. 38, p. 64
4-34-12	New	V. 38, p. 64
4-34-13	New	V. 38, p. 65
4-34-14	New	V. 38, p. 65
4-34-15	New	V. 38, p. 66
4-34-16	New	V. 38, p. 66
4-34-17	New	V. 38, p. 67
4-34-18	New	V. 38, p. 67
4-34-19	New	V. 38, p. 68
4-34-20	New	V. 38, p. 68
4-34-21	New	V. 38, p. 70

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-18-6	Amended	V. 38, p. 55
9-18-9	Amended	V. 38, p. 56
9-18-28	Amended	V. 38, p. 56

AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION

Reg. No.	Action	Register
11-13-1	New	V. 37, p. 466
11-13-2	New	V. 37, p. 467
11-13-3	New	V. 37, p. 467
11-13-4	New	V. 37, p. 467
11-13-5	New	V. 37, p. 467
11-13-6	New	V. 37, p. 467

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-13-1	Amended	V. 37, p. 484
14-13-2	Amended	V. 37, p. 485
14-13-10	Amended	V. 37, p. 485
14-13-13	Amended	V. 37, p. 486
14-25-1	New	V. 37, p. 487

14-25-2	New	V. 37, p. 487
14-25-3	New	V. 37, p. 487
14-25-4	New	V. 37, p. 488
14-25-5	New	V. 37, p. 488
14-25-6	New	V. 37, p. 488
14-26-1	New	V. 37, p. 490
14-26-2	New	V. 37, p. 490
14-26-3	New	V. 37, p. 490
14-26-4	New	V. 37, p. 490
14-26-5	New	V. 37, p. 490
14-26-6	New	V. 37, p. 490
14-26-7	New	V. 37, p. 491
14-26-8	New	V. 37, p. 491

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-17-1	New	V. 37, p. 160

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-30-18	Revoked	V. 37, p. 1059
21-40-5	Revoked	V. 37, p. 1059
21-45-1	Revoked	V. 37, p. 1059
21-45-2	Revoked	V. 37, p. 1059
21-45-3	Revoked	V. 37, p. 1059
21-45-4	Revoked	V. 37, p. 1059
21-45-5	Revoked	V. 37, p. 1059
21-45-6	Revoked	V. 37, p. 1059
21-45-7	Revoked	V. 37, p. 1059
21-45-8	Revoked	V. 37, p. 1059
21-45-9	Revoked	V. 37, p. 1059
21-45-10	Revoked	V. 37, p. 1059
21-45-11	Revoked	V. 37, p. 1059
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21-45-15	Revoked	V. 37, p. 1059
21-45-16	Revoked	V. 37, p. 1059
21-45-17	Revoked	V. 37, p. 1059
21-45-18	Revoked	V. 37, p. 1059
21-45-21	Revoked	V. 37, p. 1059
21-45-22	Revoked	V. 37, p. 1059
21-45-23	Revoked	V. 37, p. 1059
21-45-24	Revoked	V. 37, p. 1059
21-45-25	Revoked	V. 37, p. 1059
21-46-2	Revoked	V. 37, p. 1059
21-46-3	Revoked	V. 37, p. 1059

AGENCY 22: STATE FIRE MARSHAL

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22-6-16	Revoked	V. 37, p. 244
22-6-20	Amended	V. 37, p. 244
22-6-24	Amended	V. 37, p. 245
22-6-25	Amended	V. 37, p. 245
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22-24-6	Revoked	V. 37, p. 247
22-24-7	Amended	V. 37, p. 247
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22-24-9	Revoked	V. 37, p. 247
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22-24-16	Revoked	V. 37, p. 247
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22-24-18	Revoked	V. 37, p. 247

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-2	Amended	V. 37, p. 374
28-1-4	Amended	V. 37, p. 376
28-1-6	Amended	V. 37, p. 376
28-1-7	Revoked	V. 37, p. 377
28-1-12	Amended	V. 37, p. 377
28-1-13	Amended	V. 37, p. 377
28-1-18	Amended	V. 37, p. 377
28-4-95	New	V. 37, p. 1080
28-4-125	Amended	V. 37, p. 491
28-4-503	Amended	V. 37, p. 1135
28-4-584	Amended	V. 37, p. 492
28-4-705	Amended	V. 37, p. 492
28-15-18	Amended	V. 37, p. 493
28-15-19	Amended	V. 37, p. 493
28-15a-2	Amended	V. 37, p. 494
28-15a-3	Amended	V. 37, p. 494
28-15a-4	Revoked	V. 37, p. 494
28-15a-6	Amended	V. 37, p. 494
28-15a-11	Amended	V. 37, p. 494
28-15a-21	Amended	V. 37, p. 495
28-15a-23	Amended	V. 37, p. 495
28-15a-24	Amended	V. 37, p. 495
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28-15a-26	Amended	V. 37, p. 495
28-15a-27	Amended	V. 37, p. 495
28-15a-28	Amended	V. 37, p. 496
28-15a-29	Amended	V. 37, p. 496
28-15a-31	Amended	V. 37, p. 496
28-15a-32	New	V. 37, p. 496
28-15a-33	Amended	V. 37, p. 496
28-15a-41	Amended	V. 37, p. 496
28-15a-42	Amended	V. 37, p. 496
28-15a-43	Amended	V. 37, p. 496
28-15a-60	Amended	V. 37, p. 496
28-15a-61	Amended	V. 37, p. 496
28-15a-62	Amended	V. 37, p. 496
28-15a-63	Amended	V. 37, p. 496
28-15a-64	Amended	V. 37, p. 496
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28-15a-70	Amended	V. 37, p. 496
28-15a-72	Revoked	V. 37, p. 497
28-15a-73	Revoked	V. 37, p. 497
28-15a-74	Revoked	V. 37, p. 497
28-15a-75	Revoked	V. 37, p. 497
28-15a-76	Revoked	V. 37, p. 497
28-15a-80	Amended	V. 37, p. 497
28-15a-81	Revoked	V. 37, p. 497
28-15a-82	Revoked	V. 37, p. 497
28-15a-83	Revoked	V. 37, p. 497
28-15a-84	Revoked	V. 37, p. 497
28-15a-85	Revoked	V. 37, p. 497
28-15a-86	Revoked	V. 37, p. 497
28-15a-87	Revoked	V. 37, p. 497
28-15a-88	Revoked	V. 37, p. 497
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28-15a-90	Revoked	V. 37, p. 497
28-15a-91	Revoked	V. 37, p. 497
28-15a-100	Amended	V. 37, p. 497
28-15a-101	Amended	V. 37, p. 497
28-15a-110	Amended	V. 37, p. 497
28-15a-111	Amended	V. 37, p. 497
28-15a-130	Amended	V. 37, p. 497
28-15a-131	Revoked	V. 37, p. 497
28-15a-132	Revoked	V. 37, p. 497
28-15a-133	Revoked	V. 37, p. 497
28-15a-134	Revoked	V. 37, p. 497
28-15a-135	Revoked	V. 37, p. 497
28-15a-151	Amended	V. 37, p. 497
28-15a-152	Revoked	V. 37, p. 498
28-15a-153	Revoked	V. 37, p. 498

74-7-2	Amended	V. 37, p. 26
74-11-6	Amended	V. 37, p. 26
74-12-1	Amended	V. 37, p. 26

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82-3-206	Amended	V. 37, p. 592
82-3-307	Amended	V. 37, p. 592
82-4-3a	Amended (T)	V. 37, p. 27
82-4-3a	Amended	V. 37, p. 307

AGENCY 86: REAL ESTATE COMMISSION

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86-1-5	Amended	V. 37, p. 1163
86-1-15	Revoked	V. 37, p. 1163
86-1-19	Amended	V. 37, p. 1163
86-3-15	Amended	V. 37, p. 1164
86-3-26	Amended	V. 37, p. 181
86-3-27	Amended	V. 37, p. 181
86-3-28	Amended	V. 37, p. 181

AGENCY 88: BOARD OF REGENTS

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88-3-8a	Amended	V. 37, p. 500

AGENCY 100: BOARD OF HEALING ARTS

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100-11-1	Amended	V. 38, p. 344
100-28a-14	Amended	V. 38, p. 184
100-76-2	Amended	V. 38, p. 184
100-77-1	New (T)	V. 38, p. 8
100-77-1	New	V. 38, p. 447
100-77-2	New (T)	V. 38, p. 8
100-77-2	New	V. 38, p. 448
100-77-3	New (T)	V. 38, p. 8
100-77-3	New	V. 38, p. 448

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102-2-14	Amended	V. 38, p. 212
102-3-2	Amended	V. 38, p. 185
102-3-15	Amended	V. 38, p. 212
102-4-2	Amended	V. 38, p. 186
102-4-15	Amended	V. 38, p. 212
102-5-2	Amended	V. 38, p. 186
102-5-14	Amended	V. 38, p. 212
102-7-2	Amended	V. 38, p. 186
102-7-12	Amended	V. 38, p. 212

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105-5-3	Amended	V. 38, p. 367
105-5-6	Amended	V. 38, p. 367
105-5-7	Amended	V. 38, p. 368
105-5-8	Amended	V. 38, p. 368
105-5-11	Revoked	V. 38, p. 368

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-1	Amended	V. 38, p. 153
109-8-1	Amended	V. 38, p. 153
109-8-2	Amended	V. 38, p. 154
109-11-6a	Amended	V. 38, p. 154

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*.

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111-2-325	New	V. 37, p. 1192
111-2-326	New	V. 37, p. 1192
111-4-3507	Amended	V. 37, p. 127
111-4-3508	New	V. 37, p. 132
111-4-3509	New	V. 37, p. 132
111-4-3510	New	V. 37, p. 215
111-4-3511	New	V. 37, p. 216
111-4-3512	New	V. 37, p. 217
111-4-3513	New	V. 37, p. 247
111-4-3514	New	V. 37, p. 248
111-4-3515	New	V. 37, p. 249
111-4-3516	New	V. 37, p. 439
111-4-3517	New	V. 37, p. 440
111-4-3518	New	V. 37, p. 442
111-4-3519	New	V. 37, p. 443
111-4-3520	New	V. 37, p. 444
111-4-3521	New	V. 37, p. 614
111-4-3522	New	V. 37, p. 615
111-4-3523	New	V. 37, p. 616
111-4-3524	New	V. 37, p. 617
111-4-3525	New	V. 37, p. 618
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111-4-3528	New	V. 37, p. 662
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111-4-3530	New	V. 37, p. 694
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111-4-3536	New	V. 37, p. 777
111-4-3537	New	V. 37, p. 980
111-4-3538	New	V. 37, p. 982
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111-4-3543	New	V. 37, p. 1167
111-4-3544	New	V. 37, p. 1168
111-4-3545	New	V. 37, p. 1169
111-4-3546	New	V. 37, p. 1083
111-4-3547	New	V. 37, p. 1171

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111-4-3549	New	V. 38, p. 284
111-4-3550	New	V. 38, p. 285
111-4-3551	New	V. 38, p. 286
111-4-3552	New	V. 38, p. 287
111-4-3553	New	V. 38, p. 289
111-4-3554	New	V. 38, p. 292
111-4-3555	New	V. 38, p. 320
111-4-3556	New	V. 38, p. 321
111-5-80	Amended	V. 37, p. 218
111-5-81	Amended	V. 37, p. 219
111-5-82	Amended	V. 37, p. 220
111-5-83	Amended	V. 37, p. 221
111-5-84	Amended	V. 37, p. 221
111-5-85	Amended	V. 37, p. 221
111-5-243	New	V. 37, p. 620
111-5-244	New	V. 38, p. 323
111-7-81	Amended	V. 37, p. 986
111-7-267	New	V. 37, p. 133
111-7-268	New	V. 37, p. 987
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111-4-270	New	V. 37, p. 987
111-7-271	New	V. 37, p. 988
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111-15-21	Amended	V. 37, p. 1174
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111-19-27	New	V. 37, p. 222
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111-19-49	New	V. 38, p. 177
111-19-50	New	V. 38, p. 294
111-19-51	New	V. 38, p. 295
111-301-39	Amended	V. 37, p. 223
111-301-63	New	V. 37, p. 135
111-301-64	New	V. 37, p. 135
111-301-65	New	V. 37, p. 135
111-301-66	New	V. 37, p. 136
111-301-67	New	V. 37, p. 626
111-301-68	Amended	V. 37, p. 990
111-301-69	New	V. 37, p. 626
111-301-70	Amended	V. 37, p. 991
111-301-71	Amended	V. 37, p. 991

111-302-2	Amended	V. 38, p. 178
111-302-4	Amended	V. 37, p. 223
111-302-5	Amended	V. 38, p. 178
111-401-6	Amended	V. 37, p. 253
111-401-11	Amended	V. 37, p. 254
111-401-15	Amended	V. 38, p. 324
111-401-17	Amended	V. 38, p. 325
111-401-35	Amended	V. 38, p. 326
111-401-63	Amended	V. 37, p. 445
111-401-109	Amended	V. 37, p. 628
111-401-117	Amended	V. 37, p. 254
111-401-208	Amended	V. 37, p. 1037
111-401-240	New	V. 37, p. 667
111-401-241	New	V. 37, p. 667
111-401-242	New	V. 37, p. 667
111-401-243	New	V. 37, p. 667
111-401-244	New	V. 37, p. 668
111-401-245	New	V. 37, p. 668
111-401-246	New	V. 37, p. 669
111-401-247	New	V. 37, p. 779
111-401-248	New	V. 37, p. 779
111-401-249	New	V. 37, p. 779
111-401-250	New	V. 37, p. 780
111-401-251	New	V. 37, p. 780
111-401-252	New	V. 37, p. 781
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111-501-25	Amended	V. 37, p. 257
111-501-44	Amended	V. 37, p. 1174
111-501-45	Amended	V. 37, p. 783
111-501-101	Amended	V. 37, p. 1085
111-501-141	Amended	V. 37, p. 1037

111-501-142	Amended	V. 37, p. 258
111-501-143	Amended	V. 37, p. 993
111-501-144	New	V. 37, p. 993
111-501-145	Amended	V. 38, p. 296
111-501-146	New	V. 37, p. 994
111-501-147	Amended	V. 38, p. 296
111-501-148	New	V. 37, p. 996
111-601-22	Amended	V. 37, p. 630
111-601-23	Amended	V. 37, p. 630
111-601-24	Amended	V. 37, p. 631
111-601-25	Amended	V. 37, p. 632
111-601-36	Amended	V. 37, p. 1086
111-601-37	Amended	V. 38, p. 182
111-601-46	New	V. 37, p. 632
111-601-47	New	V. 37, p. 632
111-601-48	Amended	V. 37, p. 1038
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111-601-50	New	V. 37, p. 633

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115-2-4	Amended	V. 38, p. 371
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115-7-1	Amended	V. 37, p. 1227
115-7-3	Amended	V. 37, p. 1165
115-7-4	Amended	V. 37, p. 1228
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115-8-1	Amended	V. 38, p. 543
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